

GENERAL INDEX.

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THE

PUBLIC GENERAL STATUTES,

49 & 50 VICTORIÆ, 1885-6.

STATUTES OF PRACTICAL IMPORTANCE ONLY ARE SET OUT AT LENGTH.

LONDON: 27, CHANCERY LANE, W.C.

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THE PUBLIC GENERAL STATUTES, 1885-6.

49 & 50 VICTORIÆ.

[STATUTES OF PRACTICAL IMPORTANCE ONLY ARE SET OUT AT LENGTH.]

CAP. I.

An Act to make temporary provision for the conduct of the Business of the Office of Land Registry. [5th March 1886.]

Whereas by the Land Transfer Act, 1875, no provision is made for the conduct of the business of the Office of Land Registry during any vacancy in the office of registrar:

And whereas a vacancy in the said office has taken place, and it is expedient that such vacancy should not immediately be filled, but that temporary provision for the conduct of the business of the Office of Land Registry during such vacancy should be made:

Be it therefore enacted, &c.:

1. *Vacancy in office of registrar.* The Lord Chancellor may make regulations for the conduct of the Office of Land Registry during vacancy in the office of registrar, and for distributing the duties amongst the respective officers, and for assigning to the assistant registrar all or any of the functions and authorities by the Land Transfer Act, 1875, or any other Act, assigned to or conferred on the registrar, and all acts done by the assistant registrar under any such regulations shall have the same effect in all respects as if they had been done by the registrar.

2. *Short title.* This Act may be cited for all purposes as the Land Registry Act, 1886.

CAP. II.

An Act to declare the meaning of Section Eleven of the Freshwater Fisheries Act, 1878, so far as regards Eels.

[15th March 1886.]

Whereas by section eleven of the Freshwater Fisheries Act, 1878, a penalty is imposed for fishing for, buying, or selling, freshwater fish during the close season in that section mentioned, and the term "freshwater fish" is defined to include all kinds of fish (other than pollan, trout, and char) which live in fresh water, except those kinds which migrate to or from the open sea:

And whereas doubts have arisen as to whether eels are included in the term freshwater fish in the said section mentioned, and it is expedient to remove such doubts:

Be it therefore enacted, &c.:

1. *Section 11 of 41 & 42 Vict. c. 39 as to close time not to apply to eels.* It is hereby declared that the term "freshwater fish" in section eleven of the Freshwater Fisheries Act, 1878, does not include eels: Provided that nothing herein contained shall be deemed to authorise angling for eels during the close season mentioned in such section.

2. *Short title.* This Act shall be construed as one with the Freshwater Fisheries Act, 1878 and 1884, and together with those Acts may be cited as the Freshwater Fisheries Act, 1878 to 1886, and this Act may be cited alone as the Freshwater Fisheries Act, 1886.

CAP. III.

An Act to remove doubts as to the Validity of certain Marriages. [29th March 1886.]

Whereas doubts have been entertained as to the validity of certain marriages solemnized in England, one of the parties to such marriages being resident in Scotland:

Be it therefore enacted, &c.:

1. *Banns, where one party resident in Scotland.* No marriage solemnized, or to be hereafter solemnized, in any church in England, after publication of banns in such church, shall be, or be deemed to have been, invalid by reason only that one of the parties to such marriage was at the time of such publication resident in Scotland, and that banns may have been published or proclaimed in any church of the parish or place in which such party was resident, according to the law or custom prevailing in Scotland, and not in the manner required for the publication of banns in England.

2. *Short title.* This Act may be cited as the Marriages Validity Act, 1886.

CAP. IV.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand eight hundred and eighty-five and one thousand eight hundred and eighty-six.

[29th March 1886.]

CAP. V.

An Act for extending, with Amendments, to Grounds for Drill and other Military Purposes, the Enactments relating to the Acquisition and Regulation of Rifle Ranges.

[29th March 1886.]

CAP. VI.

An Act to continue the Glebe Loans (Ireland) Acts.

[29th March 1886]

CAP. VII.

An Act to apply the sum of twelve million seven hundred and thirteen thousand three hundred and eighteen pounds out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-seven.

[31st March 1886.]

CAP. VIII.

An Act to provide, during twelve months, for the Discipline and Regulation of the Army.

[16th April 1886.]

CAP. IX.

An Act to amend the Prisons Act of 1877, so far as regards the Superannuation of Prison Officers.

[16th April 1886.]

CAP. X.

An Act to repeal the Contagious Diseases Acts, 1866 to 1869. [16th April 1886.]

Be it enacted, &c.:

1. *Short title.* This Act may be cited for all purposes as the Contagious Diseases Acts Repeal Act, 1886.

2. *Repeal of Acts.* The Contagious Diseases Acts, 1866 to 1869, are hereby repealed. Provided that their repeal shall not affect—

1. Anything duly done or suffered under any enactment hereby repealed:

2. Any penalty, forfeiture, or other punishment incurred in respect of any offence against any enactment hereby repealed.

CAP. XI.

An Act to provide for the Payment of Compensation for Damage done during a certain Riot in the Metropolitan District.

[16th April 1886.]

Whereas on the eighth day of February last certain houses and shops in the metropolitan police district and in the city of London were injured, and the property therein injured, stolen, or destroyed by persons taking part in a riot:

And whereas it is expedient to provide compensation, as hereinafter mentioned, for the owners of the said houses, shops, and property:

Be it therefore enacted, &c.:

1. *Short title.* This Act may be cited for all purposes as the Metropolitan Police (Compensation) Act, 1886.

2. *Compensation to persons for damage by riot.* Where a person shows, in manner provided by this Act, that a house or shop occupied by him in the metropolitan police district, or in the city of London, was injured or the property therein was injured, stolen, or destroyed by any persons who took part in such riot as aforesaid, such compensation as herein-after mentioned for such injury, stealing, or destruction shall be paid out of the metropolitan police rate and the city of London police rate conjointly in such proportions as the annual values of the property liable and subject to those rates respectively bear to each other. Where it is shown, in manner provided by this Act, that such person received, by way of insurance or otherwise, any sum to recoup him for such injury, stealing, or destruction, the compensation otherwise payable to him under this Act shall, if exceeding such sum, be reduced by the amount thereof, and in any other case shall not be paid; and the payer of such sum shall be entitled to compensation under this Act in respect of the sum so paid as if he had suffered the said injury, stealing, or destruction; and any policy of insurance given by such payer shall continue in force as if he had made no such payment. Where such person was recouped as aforesaid otherwise than by payment of a sum, this enactment shall apply

as if the value of such recoupment were a sum paid.

3. *Mode of awarding compensation.* (1.) Claims for compensation under this Act shall be made to the police receiver, who shall inquire into the truth thereof, and shall, if satisfied, pay such compensation as may appear to him to be just.

(2.) The police receiver, with the approval of one of Her Majesty's Principal Secretaries of State, may from time to time make regulations respecting the time within which, and the manner in which and the conditions under which such claims are to be made, and compensation therefor paid, and may exclude all claims not made in accordance with such regulations. Such regulations may also provide for the particulars to be inserted in any claim, and for the verification of any claim, or any facts incidental thereto by statutory declarations, production of books, vouchers, and documents, entry of premises, and otherwise, and may also provide for any matter authorised by this Act to be prescribed, and for the police receiver obtaining such information and assistance for determining the said claims as he may think necessary. The said regulations shall be published in the "London Gazette," and in not less than two daily newspapers circulating in the metropolitan police district.

4. *Appeal as to award or refusal of compensation.*

(1.) If any person is aggrieved by the decision of the police receiver in respect of his claim, he may within the prescribed time appeal to the arbitrator appointed under this Act, and such arbitrator shall hear the case in such manner as he thinks fit; and for the said purpose, sections one hundred and thirty-three and one hundred and thirty-seven of the Railways Clauses Consolidation Act, 1845, shall apply.

(2.) The decision of the arbitrator as to the right of the claimant to compensation on such claim, and the amount thereof (if any) shall be final, and the amount (if any) awarded may, if the appeal succeeds, be increased by such reasonable sum for costs as the arbitrator thinks just. But if the appeal fails, the arbitrator shall award to the police receiver such sum as he thinks just for costs and for the trouble caused by the appeal, and for the costs of arbitration; and the sum so awarded shall be deducted from the compensation, if any, payable to the claimant, but if no compensation is so payable, the award of the said sum may be made a rule of the High Court of Justice and be enforced accordingly.

(3.) The arbitrator under this Act shall be appointed by the Chairman of the Metropolitan Board of Works, with the approval of one of Her Majesty's Secretaries of State, and may be paid such remuneration as the Commissioners of Her Majesty's Treasury may fix. And in case of such arbitrator dying or becoming incapable to act before he has made an award upon all appeals under this Act, another arbitrator shall be appointed in manner aforesaid, and the appeals shall be determined in the same manner as if he had been the arbitrator originally appointed, and so on as often as occasion requires.

5. *Payment of compensation and expenses, and raising of money.* (1.) The police receiver shall pay out of moneys in his hands on account of the metropolitan police all compensation payable under this Act, and the remuneration of the arbitrator and the costs of arbitration, and all costs and expenses payable by him in or incidental to the execution of this Act, and the amount required to meet such payments shall be raised as part of the metropolitan police rate and of the City of London police rate respectively in the proportions herein-before mentioned, notwithstanding the limits otherwise authorised for such rates, and no portion of the said amount shall be contributed by the Treasury.

(2.) All sums awarded by the arbitrator to the police receiver under this Act shall be applied in reduction of the amount required to meet the said payments.

6. *Exclusion of other proceedings.* No proceeding before justices nor any action or other legal proceeding shall, after the passing of this Act, be instituted, nor, if commenced before the passing of this Act, be continued against the authorities of the hundred or any other public authority for the

purpose of recovering compensation for any damage for which compensation can be awarded under this Act, and any order made before the passing of this Act for payment of any such compensation shall be cancelled.

7. *Definitions.* In this Act—

The expression "person" includes a body of persons, corporate or unincorporate:

The expression "police receiver" means the receiver for the metropolitan police district:

The expression "metropolitan police rate" means the rate authorised to be levied for raising that proportion of the sum required for defraying the expenses of the metropolitan police force which can be raised by a rate.

An empty house or shop shall be deemed for the purposes of this Act to have been occupied by the owner.

The expression "City of London police rate" means the rate authorised to be levied for defraying that proportion of the sum required for defraying the expenses of the City of London police force which can be raised by a rate.

CAP. XII.

An Act to amend the Bankruptcy (Office Accommodation) Act, 1885. [16th April 1886.]

Whereas by the Bankruptcy (Office Accommodation) Act, 1885, the Treasury are empowered to defray, out of the surplus therein mentioned, the expense of providing office accommodation for officers appointed by the Board of Trade under the Bankruptcy Act, 1883:

And whereas it is expedient that the Treasury should be empowered to defray the expenses of providing office accommodation for any officers performing duties under the Bankruptcy Act, 1883, whether such officers are appointed by the Board of Trade or not:

Be it therefore enacted, &c.:

1. *Extension of powers of Treasury under 48 & 49 Vict. c. 47.* The Bankruptcy (Office Accommodation) Act, 1885, shall extend to enable the Treasury, subject to the provisions of the said Act, from time to time to pay such sums as they consider necessary for defraying the expenses of providing office accommodation for any officer or officers performing duties under the Bankruptcy Act, 1883, whether appointed or not by the Board of Trade, and section two of the said first-mentioned Act shall be construed and have effect accordingly.

2. *Short title.* This Act may be cited as the Bankruptcy (Office Accommodation) Act, 1886.

CAP. XIII.

An Act to provide for the transfer to the Dominion of Canada of the Lighthouse at Cape Race, Newfoundland, and its appurtenances, and for other purposes connected therewith. [10th May 1886.]

CAP. XIV.

An Act for extending the Hours within which Marriages may be lawfully solemnized. [10th May 1886.]

Be it enacted, &c.:

1.—*Hours for solemnization of marriages.* (1.) From and after the passing of this Act it shall be lawful to solemnize a marriage at any time between the hours of eight in the forenoon and three in the afternoon.

(2.) Section twenty-one of the Act of the fourth year of King George the Fourth, chapter seventy-six, for amending the laws respecting the solemnization of marriages in England, which provides for the punishment of persons solemnizing matrimony during unlawful hours, shall have effect as if the words "eight in the forenoon and three in the afternoon" were substituted therein for the words "eight and twelve o'clock in the forenoon," and no person shall be subject to any proceedings in any court, ecclesiastical or temporal, for solemnizing matrimony between the aforesaid hours of eight in the forenoon and three in the afternoon.

2. *Extent of Act.* This Act shall not extend to Scotland or Ireland.

3. *Short title.* This Act may be cited as the Marriage Act, 1886.

CAP. XV.

An Act to amend the Law as to the Rating of Lands occupied for Sporting purposes in Scotland. [10th May 1886.]

CAP. XVI.

An Act to amend the Law in regard to the Vacating of Seats in the House of Commons. [10th May 1886.]

Be it enacted, &c.:

1. *Short title of Act.* This Act may for all purposes be cited as the Lunacy (Vacating of Seats) Act, 1883.

2. *Procedure for vacating seat of member of House of Commons received, &c., as a lunatic into an asylum, &c.* From and after the passing of this Act, if a member of the House of Commons is received, or committed into, or detained in any asylum, house, or other place as a lunatic the following provisions shall have effect; that is to say,

(i.) It shall be the duty of the court, judge, magistrate, or person under or upon whose order, and of every medical person or practitioner upon whose certificate, such member has been so received, committed, or detained, and of every superintendent, officer, proprietor, or other person having the chief charge of such asylum, house, or other place as aforesaid, as soon as may be, to certify such reception, committal, or detention to the Speaker of the House of Commons.

(ii.) It shall be lawful for any two members of the House of Commons to certify to the Speaker that they are credibly informed of such reception, committal, or detention.

(iii.) The Speaker shall forthwith transmit such certificate or certificates, as the case may be, if the place of such reception, committal, or detention is in England, to the Commissioners in Lunacy in England; if such place is in Scotland, to the Board of Commissioners in Lunacy in Scotland; and if such place is in Ireland, to the Inspectors of Lunatic Asylums in Ireland.

(iv.) On receiving such certificate or certificates, as the case may be, the Commissioners of Lunacy in England, the Board of Commissioners in Lunacy in Scotland, or the Inspectors of Lunatic Asylums in Ireland, or any two of them, as the case may be, shall, without delay, visit and examine the member to whom the certificate relates, and shall report to the Speaker whether he is of unsound mind.

(v.) If the report is to the effect that the member is of unsound mind, the Speaker shall, at the expiration of six months from the date of the said report, if the House of Commons be then sitting, and if not, then as soon as may be after the next sitting thereof, require the Commissioners in Lunacy in England, or the Board of Commissioners in Lunacy in Scotland, or the Inspectors of Lunatic Asylums in Ireland or any two of them, as the case may be, again to visit and examine the member aforesaid; and if they shall report that he is still of unsound mind, the Speaker shall forthwith lay both reports on the table of the House of Commons, and thereupon the seat of the member shall be vacant.

(vi.) Where the seat of a member so becomes vacant, the Speaker shall issue his warrant to the Clerk of the Crown to make out a new writ for electing another member in the room of the member whose seat has so become vacant.

3. *Penalty.* Every medical person or practitioner, and every superintendent, officer, proprietor, or other person having the chief charge of any asylum, house, or other place, who shall wilfully contravene or disobey the provisions of this Act shall be liable to a penalty not exceeding one hundred pounds, to be recovered with costs at

the suit of any person in Her Majesty's High Court of Justice in England or Ireland, or in the Court of Session in Scotland, as the case may be.

CAP. XVII.

An Act to make temporary provision for the better Relief of the Destitute Poor in Ireland. [10th May 1886.]

CAP. XVIII.

An Act to grant certain Duties of Customs and Inland Revenue, and to amend the laws relating to Inland Revenue. [4th June 1886.]

CAP. XIX.

An Act to suspend for a period certain Payments under the National Debt Act, 1881; and to reduce for a like period the Permanent Annual Charge of the National Debt. [4th June 1886.]

CAP. XX.

An Act to amend the Law in respect to the Discovery and Interment of Persons drowned. [4th June 1886.]

Whereas an Act was passed in the forty-eighth year of the reign of King George the Third, intituled "An Act for providing suitable interment in churchyards or parochial burying grounds in England for such dead human bodies as may be cast on shore from the sea in cases of wreck or otherwise" (in this Act called "the principal Act"), and it is expedient to amend the same and make it applicable to the discovery and interment of dead human bodies cast on shore from any tidal or navigable waters, or found in any such tidal or navigable waters and brought on shore:

Be it enacted, &c.:

1. *Extension of provisions of principal Act.* The provisions of the principal Act shall be deemed to extend and apply not only to dead human bodies found in or cast on shore from the sea by wreck or otherwise, but also to any dead human body or dead human bodies found in or cast on shore from any tidal or navigable waters, and to all such body or bodies found floating or sunken in any such waters and brought on to the shore or bank thereof: Provided, that notice of the finding of any such body or bodies shall be deemed to be duly given in pursuance of the principal Act if given to a police constable within the time specified in that Act, and such constable shall forthwith communicate the same to the parish officers mentioned in the said Act.

CAP. XXI.

An Act to amend the Burial Grounds (Scotland) Act, 1855. [4th June 1886.]

CAP. XXII.

An Act to amend the enactments relating to Offices, Stations, and Buildings for the Metropolitan Police Force. [4th June 1886.]

CAP. XXIII.

An Act to amend the Companies Acts of 1862, 1867, 1870, 1877, 1879, 1880, and 1883. [4th June 1886.]

Whereas it has become expedient to amend the provisions of the Companies Act, 1862, and of the other Acts amending the same herein-after recited, in so far as the said provisions relate to the liquidation of companies in Scotland:

Be it therefore enacted, &c.:

1. *Short title.* This Act may be cited for all purposes as the Companies Act, 1886.

2. *Construction of Acts.* This Act shall, so far as consistent with the tenor thereof, be construed as one with the Companies Acts, 1862, 1867, 1877, 1879, 1880, and 1883, and the Joint Stock Companies Arrangement Act, 1870, and the said Acts and this Act may be referred to as the Companies Acts, 1862 to 1886.

3. *Effect of diligence within 60 days of winding up by or subject to supervision of court.* In the winding up, by or subject to the supervision of the court,

of any company under the Companies Acts, 1862 to 1886, whose registered office is in Scotland, where the winding up shall commence after the passing of this Act, the following provisions shall have effect:

(1.) Such winding up shall, in the case of a winding up by the court as at the commencement thereof, and in the case of a winding up subject to the supervision of the court as at the date of the presentation of the petition, on which a supervision order is afterwards pronounced, be equivalent to an arrestment in execution and decree of forthcoming, and to an executed or completed poinding; and no arrestment or poinding of the funds or effects of the company, executed on or after the sixtieth day prior to the commencement of the winding up by the court, or to the presentation of the petition on which a supervision order is made, as the case may be, shall be effectual; and such funds or effects, or the proceeds of such effects, if sold, shall be made forthcoming to the liquidator: Provided that any arrestment or poinder, before the date of such winding up, or of such petition, as the case may be, who shall be thus deprived of the benefit of his diligence, shall have preference out of such funds or effects for the expense bona fide incurred by him in such diligence.

(2.) Such winding up shall, as at the respective dates aforesaid, be equivalent to a decree of adjudication of the heritable estates of the company for payment of the whole debts of the company, principal and interest, accumulated at the said dates respectively, subject always to such preferable heritable rights and securities as existed at the said dates and are valid and unchangeable, and the right to poind the ground herein-after provided.

(3.) The provisions of sections one hundred and twelve to one hundred and seventeen inclusive, and also of section one hundred and twenty, of the Bankruptcy (Scotland) Act, 1856, shall, so far as consistent with the tenor of the recited Acts, apply to the realization of heritable estates affected by such heritable rights and securities aforesaid; and for the purposes of this Act the words "sequestration" and "trustee" occurring in the said sections of the Bankruptcy (Scotland) Act, 1856, shall mean respectively "liquidation" and "liquidator"; and the expression "the Lord Ordinary or the Court" shall mean "the Court" as defined by this Act.

(4.) No poinding of the ground which has not been carried into execution by sale of the effects sixty days before the respective dates aforesaid shall, except to the extent herein-after provided, be available in any question with the liquidator: Provided that no creditor who holds a security over the heritable estate preferable to the right of the liquidator shall be prevented from executing a poinding of the ground after the respective dates aforesaid, but such poinding shall in competition with the liquidator be available only for the interest on the debt for the current half-yearly term, and for the arrears of interest for one year immediately before the commencement of such term.

4. *Ranking of claims.* In the winding up of any company under the Companies Acts, 1862 to 1886, whose registered office is in Scotland, and where the winding up shall commence after the passing of this Act, the general and special rules in regard to voting and ranking for payment of dividends, provided by the Bankruptcy (Scotland) Act, 1856, sections forty-nine to sixty-six inclusive, or any other rules in regard thereto which may be in force for the time being in the sequestration of the estates of bankrupts in Scotland, shall, so far as consistent with the tenor of the said recited Acts, apply to creditors of such companies voting in matters relating to the winding up, and ranking for payment of dividends; and for this purpose sequestration shall be taken to mean liquidation, trustee to mean liquidator, and sheriff to mean the court.

5. *Jurisdiction of the Lord Ordinary on the Bills in vacation.* Wherever the expression "the court of session" occurs in the said recited Acts, or the expression "the court" occurring therein or in this Act refers to the court of session in Scotland, it shall mean and include either division thereof, or, in the event of a remit to a permanent Lord Ordinary, as herein-after provided, such Lord Ordinary, during session, and in time of vacation the Lord Ordinary on the Bills; and in regard to orders or judgments pronounced by the said Lord Ordinary on the Bills in vacation, the following provisions shall have effect:—

(1.) No order or judgment pronounced by the said Lord Ordinary in vacation, under or by virtue, in whole or in part, of the following sections of the said recited Acts, shall be subject to review, reduction, suspension, or stay of execution, videlicet, of the Companies Act, 1862, sections ninety-one, one hundred and seven, one hundred and fifteen, one hundred and seventeen, and one hundred and twenty-seven, and section one hundred and forty-nine so far as it authorises the Court to direct meetings of creditors or contributories to be held, and that portion of section two of the Joint Stock Companies Arrangement Act, 1870, which authorises the Court to order that a meeting of creditors or class of creditors shall be summoned; and also sections one hundred and twenty-two and one hundred and twenty-three of the Companies Act, 1862, so far as they may affect the sections above enumerated.

(2.) All other orders or judgments pronounced by the said Lord Ordinary in vacation (except as after mentioned) shall be subject to review only by reclaiming note, in common form, presented (notwithstanding the terms of section one hundred and twenty-four of the Companies Act, 1862,) within fourteen days from the date of such order or judgment: Provided always, that such orders or judgments pronounced by the said Lord Ordinary in vacation, under or by virtue, in whole or in part, of the following sections of the Companies Act, 1862, shall from the dates of such orders or judgments, and notwithstanding any reclaiming note against the same, be carried out and receive effect till such reclaiming note be disposed of by the court, videlicet, sections eighty-five, eighty-seven, eighty-nine, ninety-three (except in regard to the removal or remuneration of liquidators), ninety-five, ninety-six (except in the regard to the power to sell), one hundred, one hundred and eighteen, first part of one hundred and forty-one, one hundred and forty-seven, one hundred and ninety-eight, and two hundred and one; and also sections one hundred and twenty-two and one hundred and twenty-three of the Companies Act, 1862, so far as they may affect the sections above enumerated.

Provided that nothing in this section contained shall in any way affect the provisions of section one hundred and twenty-one of the Companies Act, 1862, in reference to decrees for payment of calls in the winding up of companies, whether voluntarily or by or subject to the supervision of the court.

6. *Winding up may be remitted to Lord Ordinary.*

When the court makes a winding up or a supervision order, or at any time thereafter, it shall be lawful for the court, in either division thereof, if it thinks fit, to direct all subsequent proceedings in the winding up to be taken before one of the permanent Lords Ordinary, and to remit the winding up to him accordingly; and thereupon such Lord Ordinary shall, for the purposes of the winding up, be deemed to be "the court," within the meaning of the recited Acts and this Act, and shall have, for the purposes of such winding up, all the jurisdiction and powers of the court of session: Provided always, that all orders or judgments pronounced by such Lord Ordinary

shall be subject to review only by reclaiming note in common form, presented (notwithstanding the terms of section one hundred and twenty-four of the Companies Act, 1862) within fourteen days from the date of such order or judgment. But, should a reclaiming note not be presented and moved during session, the provisions of section five of this Act shall apply to such orders or judgments: Provided also, that the said Lord Ordinary may report to the division of the court any matter which may arise in the course of the winding up. This section and the immediately preceding section shall come into force from the passing of this Act, and shall include companies then in the course of being wound up.

CAP. XXIV.

An Act to continue and amend for a further limited period the Peace Preservation (Ireland) Act, 1881. [4th June 1886.]

CAP. XXV.

An Act for giving facilities for the care, education, and training of Idiots and Imbeciles. [25th June 1886.]

Whereas it is expedient to make provision for the admission into hospitals, institutions, and licensed houses of idiots and imbeciles, and for their care, education, and training therein:

Be it therefore enacted, &c.:

1. *Short title.*] This Act may be cited as the Idiots Act, 1886.

2. *Extent of Act.*] This Act shall not extend to Scotland or Ireland.

3. *Commencement.*] This Act shall commence from and immediately after the thirty-first day of December one thousand eight hundred and eighty-six.

4. *Hospitals, institutions, and licensed houses for idiots and imbeciles.*] An idiot or imbecile from birth or from an early age may, if under age, be placed by his parents or guardians, or by any person undertaking and performing towards him the duty of a parent or guardian, and may lawfully be received into, and until of full age detained in, any hospital, institution, or licensed house, registered under this Act for the care, education, and training of idiots or imbeciles upon the certificate in writing of a duly qualified medical practitioner in the Form One in the Schedule that the person to whom such certificate relates is an idiot or imbecile, capable of receiving benefit from such hospital, institution, or licensed house, accompanied by a statement in the Form Two in the Schedule signed by the parent or guardian of the idiot or imbecile, or the person undertaking or performing towards him the duty of a parent or guardian.

5. *Retention and admission of idiots and imbeciles after full age.*] Any idiot or imbecile who has while under age been received under this Act into any hospital, institution, or licensed house, registered under this Act may, with the consent in writing of the Commissioners in Lunacy, be retained therein after he is of full age, and an idiot or imbecile from birth or from an early age may be received into any hospital, institution, or licensed house, registered under this Act after he is of full age upon the certificate in writing of a duly qualified medical practitioner in the Form One in the Schedule, accompanied by a statement in the Form Two in the Schedule signed by the parent or guardian of the idiot or imbecile, or the person undertaking or performing towards him the duty of a parent or guardian.

6. *Order of discharge by Commissioners in Lunacy.*] The Commissioners may at any time, by order, direct any person of full age retained in any hospital, institution, or licensed house, registered under this Act to be discharged therefrom, and such order shall specify the reason or reasons for such discharge and the date thereof.

7. *Registration of hospitals, institutions, and licensed houses under this Act.*] The managing committee or the principal officer of every hospital, institution, or licensed house, in which idiots or imbeciles are intended to be received under this Act shall apply to the Commissioners to have the

hospital, institution, or licensed house registered in the office of the Commissioners, and the Commissioners, if satisfied upon inquiry that the hospital, institution, or licensed house, is a proper one to be registered, shall issue a certificate of registration accordingly; and no idiot or imbecile shall be received into any hospital, institution, or licensed house, under this Act, until the same hospital, institution, or licensed house has been duly registered.

8. *Provision for existing hospitals, institutions, and licensed houses for idiots or imbeciles.*] Any hospital, institution, or licensed house, which at the passing of this Act is devoted exclusively to the care, education, and training of idiots or imbeciles may be registered under this Act, and all idiots and imbeciles lawfully retained therein at the passing of this Act may continue to be so retained without further certification.

9. *Notice of reception to be sent to Commissioners in Lunacy.*] When any idiot or imbecile is first received into a hospital, institution, or licensed house, registered under this Act the superintendent or principal officer thereof shall, within fourteen days, certify in writing under his hand to the Commissioners in the Form Three in the Schedule the fact and time of his reception, specifying his name and age and the names and addresses of the persons placing him in such hospital, institution, or licensed house, and that he is alleged to be capable of deriving benefit from the treatment to be received therein.

10. *Notice of death or discharge.*] When any idiot or imbecile dies in any hospital, institution, or licensed house, registered under this Act, or is discharged therefrom, the superintendent or principal officer thereof shall forthwith notify in writing such death or discharge to the Commissioners.

11. *Certain provisions of Lunacy Acts not to apply to this Act.*] The provisions of any Act relating to the registration and regulation of hospitals, asylums, and licensed houses for the reception of lunatics, to the orders, certificates, or reports necessary for the reception, detention, or treatment of lunatics, and to the care, treatment, and visitation of lunatics, and the books to be kept and the reports to be made concerning lunatics respectively, shall not apply to any hospital, institution, or licensed house, registered under this Act, or to any idiot or imbecile received or to be received therein under the provisions of this Act.

12. *Inspection by Commissioners.*] The Commissioners shall at least once in every twelve months visit and inspect every hospital, institution, and licensed house, registered under this Act, and all the children and other persons under treatment therein.

13. *Medical journal to be kept.*] A medical journal shall be kept in every hospital, institution, and licensed house, registered under this Act, in such form as the Commissioners may from time to time direct.

14. *Residence of medical practitioner.*] In the case of any hospital, institution, or licensed house, registered under this Act, the Commissioners may by order in writing direct that a duly qualified medical practitioner shall reside therein.

15. *Grants of money to guardians of the poor.*] Nothing in this Act shall operate to deprive the guardians of the poor of any union of the power of sending pauper idiots or imbeciles to hospitals, institutions, and licensed houses, registered under this Act, or from receiving in respect of such idiots or imbeciles such sums of money as shall from time to time be granted by Parliament towards the maintenance and care of pauper lunatics, as if the same idiots and imbeciles were pauper lunatics.

16. *Power to grant superannuation allowances.*] The committee of management of any hospital, institution, or licensed house, registered under this Act, may grant to any officer or servant who is incapacitated by confirmed illness, age, or infirmity, or who has been an officer or servant in the hospital, institution, or house, for not less than fifteen years and is not less than fifty years old, such superannuation allowance, not exceeding two thirds of the salary, with the value of the lodgings, rations, or other allowances enjoyed by the superannuated person, as the committee think proper.

17. *Definition—Commissioners—Idiots or imbeciles—Lunatic—Hospital and institution—Licensed house.*] In this Act, if not inconsistent with the context,—

"Commissioners" means the Commissioners in Lunacy for the time being.

"Idiots" or "imbeciles" do not include lunatics.

"Lunatic" does not mean or include idiot or imbecile.

"Hospital" and "institution" mean any hospital or institution or part of a hospital or institution (not being an asylum for lunatics) wherein idiots and imbeciles are received and supported wholly or partly by voluntary contributions, or by any charitable bequest or gift, or by applying the excess of payments of some patients for or towards the support, provision, or benefit of other patients.

"Licensed house" means any house licensed by the Commissioners in Lunacy, or by the justices of any county or borough, for the reception, care, education, and training of idiots and imbeciles.

The SCHEDULE.

FORM 1.

Form of Medical Certificate.

I, the undersigned A.B., a person registered under the Medical Act, 1858, and in the actual practice of the medical profession, certify that I have carefully examined C.D., an infant [or of full age], now residing at _____, and that I am of opinion that the said C.D. is an idiot [or has been imbecile from birth, or for years past or from an early age], and is capable of receiving benefit from [the institution (describing it)], registered under the Idiots Act, 1886.

(Signed)

Dated _____

(full postal address).

FORM 2.

Form of Statement to accompany Medical Certificate.

[If any particulars in this statement be not known, the fact to be so stated.]

Name of patient, with Christian name at length, Sex and age.

When and where previously under care and treatment.

In any asylum or institution.

Whether subject to epilepsy.

Whether dangerous to others.

I certify that to the best of my knowledge the above particulars are correctly stated.

(Signed) Name and full postal address.

[To be signed by the parent or guardian of the idiot or imbecile, or the person undertaking and performing towards him the duty of a parent or guardian.]

FORM 3.

Form of Certificate of Reception.

I hereby certify that _____ aged _____ was admitted into _____ on the _____ day of _____ 18____, on the request of _____ of _____ and _____ of _____ and that he [or she] is alleged to be capable of deriving benefit from the treatment he [or she] will receive herein.

A.B.

Superintendent or
Principal Officer.

Dated this _____ day _____ 18____
To the Commissioners in Lunacy.

CAP. XXVI.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-seven, and to appropriate the Supplies granted in this Session of Parliament. [25th June 1886.]

CAP. XXVII.

An Act to amend the Law relating to the Guardianship and Custody of Infants. [25th June 1886.]

Whereas it is expedient to amend the law relating to the guardianship and custody of infants:

Be it enacted, &c. :

1. *Short title.*] This Act may be cited as the Guardianship of Infants Act, 1886.

2. *On death of father, mother to be guardian alone or jointly with others.*] On the death of the father of an infant, and in case the father shall have died prior to the passing of this Act then from and after the passing of this Act, the mother if surviving shall be the guardian of such infant, either alone when no guardian has been appointed by the father, or jointly with any guardian appointed by the father. When no guardian has been appointed by the father, or if the guardian or guardians appointed by the father is or are dead, or refuses or refuse to act, the Court may, if it shall think fit, from time to time appoint a guardian or guardians to act jointly with the mother.

3. *Mother may appoint guardian, in certain cases.*] (1.) The mother of any infant may by deed or will appoint any person or persons to be guardian or guardians of such infant after the death of herself and the father of such infant (if such infant be then unmarried), and where guardians are appointed by both parents they shall act jointly.

(2.) The mother of any infant may by deed or will provisionally nominate some fit person or persons to act as guardian or guardians of such infant after her death jointly with the father of such infant, and the court, after her death, if it be shown to the satisfaction of the court that the father is for any reason unfitted to be the sole guardian of his children, may confirm the appointment of such guardian or guardians who shall thereupon be authorised and empowered so to act as aforesaid, or make such other order in respect of the guardianship as the court shall think right.

(3.) In the event of guardians being unable to agree upon a question affecting the welfare of an infant, any of them may apply to the court for its direction, and the court may make such order or orders regarding the matters in difference as it shall think proper.

(4.) *Powers of guardian.*] Every guardian in England and Ireland under this Act shall have all such powers over the estate and the person, or over the estate (as the case may be), of an infant as any guardian appointed by will or otherwise now has in England under the Act twelve Charles the Second, chapter twenty-four, or in Ireland under the Act of the Irish Parliament fourteen and fifteen Charles the Second, chapter nineteen, or otherwise.

5. *Court may make orders as to custody.*] The court may, upon the application of the mother of any infant (who may apply without next friend), make such order as it may think fit regarding the custody of such infant and the right of access thereto of either parent, having regard to the welfare of the infant, and to the conduct of the parents, and to the wishes as well of the mother as of the father, and may alter, vary, or discharge such order on the application of either parent, or, after the death of either parent, of any guardian under this Act, and in every case may make such order respecting the costs of the mother and the liability of the father for the same or otherwise as to costs as it may think just.

6. *Power to Court to remove guardian.*] In England and Ireland the High Court of Justice, in any division thereof, and in Scotland either division of the Court of Session, may, in their discretion, on being satisfied that it is for the welfare of the infant, remove from his office any testamentary guardian, or any guardian appointed or acting by virtue of this Act, and may also, if they shall deem it to be for the welfare of the infant, appoint another guardian in place of the guardian so removed.

7. *Guardianship in case of divorce or judicial separation.*] In any case where a decree for judicial separation, or a decree either nisi or absolute for divorce, shall be pronounced, the court pronouncing such decree may thereby declare the parent by reason of whose misconduct such decree is made to be a person unfit to have the custody of the children (if any) of the marriage; and, in such case, the parent so declared to be unfit shall not, upon the death of the other parent, be entitled as of right to the custody or guardianship of such children.

8. *Application of Act to Scotland.*] In the application of this Act to Scotland the word guardian shall mean tutor, and the word infant shall mean pupil.

9. *Interpretation of terms.*] In the construction of this Act the expression "the Court" shall mean—

In England the High Court of Justice or the county court of the district in which the respondent or respondents or any of them may reside :

In Ireland the High Court of Justice or the county court of the district in which the respondent or respondents or any of them may reside :

In Scotland the Court of Session or the sheriff court within whose jurisdiction the respondent or respondents or any of them may reside.

Any application under this Act to the High Court of Justice in England or to the High Court of Justice in Ireland shall be made to the Chancery Division of the said Courts respectively in such manner as may be prescribed by Rules of Court.

In Scotland the expression "the Court of Session" shall mean either division of the said court, and in vacation the Lord Ordinary on the Bills.

10. *As to removing proceedings and appeals.*] In England and Ireland when any application has been made under this Act to a county court the High Court of Justice shall, at the instance of any party to such application, order such application to be removed to the High Court of Justice and there proceeded with before a judge of the Chancery Division, on such terms as to costs as it may think proper.

In England and Ireland an appeal shall lie to the High Court of Justice from any order made by a county court under this Act; and, subject to any rules of court made after the passing of this Act, any such appeal shall be heard by a judge of the Chancery Division of the High Court of Justice at Chambers or in court, as he shall direct.

In Scotland any application made under this Act to a sheriff court may be removed to the Court of Session, at the instance of any party, in the manner provided by and subject to the conditions prescribed by the ninth section of the Sheriff Courts (Scotland) Act, 1877.

In Scotland an appeal shall lie to either division of the Court of Session from any order made by the Lord Ordinary on the Bills or a sheriff court under this Act.

11. *Rules as to procedure.*] Rules for regulating the practice and procedure in any proceedings under this Act, and the forms in such proceedings may from time to time be made—

(a) so far as respects the High Court of Justice or Her Majesty's Court of Appeal in England or Ireland by Rules of Court; and

(b) so far as respects the Court of Session in Scotland by Act of Sederunt; and

(c) so far as respects any county court in England or Ireland and the Sheriff Court in Scotland in like manner as rules and orders respecting those courts can respectively for the time being be made.

12. *Tutors.*] In Scotland tutors being administrators-in-law, tutors-nominate, and guardians appointed or acting in terms of this Act who shall, by virtue of their office, administer the estate of any pupil, shall be deemed to be tutors within the meaning of an Act passed in the twelfth and thirteenth years of the reign of Her Majesty, intituled "An Act for the better protection of the property of pupils, absent persons, and persons under mental incapacity, in Scotland," and shall be subject to the provisions thereof: Provided always, that such tutors being administrators-in-law, tutors-nominate, and guardians aforesaid shall not be bound to find caution in terms of the seventy-sixth and seventy-seventh sections of the last recited Act, unless the court, upon the application of any party having interest, shall so direct.

13. *Saving clause.*] Nothing in this Act contained shall restrict or affect the jurisdiction of the High Court of Justice in England, and of the

High Court of Justice in Ireland, or of any division of the said Courts, and of the Court of Session in Scotland, to appoint or remove guardians, or (in the case of Scotland) tutors or factors loco tutoris or otherwise in respect of infants.

CAP. XXVIII.

An Act to amend the law relating to Bankruptcy so far as relates to Agricultural Labourers' Wages. [25th June 1886.]

Be it enacted, &c. :

1. *Short title.*] This Act may be cited as the Bankruptcy (Agricultural Labourers' Wages) Act, 1886.

2. *Extent of Act.*] This Act shall not extend to Scotland or Ireland.

3. *Priority of wages of yearly labourers.*] Section forty, sub-section (e), of the Bankruptcy Act, 1883, shall be amended by the addition of the words "Provided always, that where any labourer in husbandry has entered into a contract for the payment of a portion of his wages in a lump sum at the end of the year of hiring, he shall have priority in respect of the whole of such sum, or of a part thereof as the Court may decide to be due under the contract proportionate to the time of service, up to the date of the receiving order."

CAP. XXIX.

An Act to amend the Law relating to the Tenure of Land by Crofters in the Highlands and Islands of Scotland, and for other purposes relating thereto. [25th June 1886.]

CAP. XXX.

An Act to amend the Patriotic Fund Acts, 1867 and 1881. [25th June 1886.]

CAP. XXXI.

An Act to remove doubts respecting the sitting and acting of the Chancellor and other Officers of the University of Oxford as Justices of the Peace. [25th June 1886.]

Whereas under a charter granted to the chancellor, masters, and scholars of the University of Oxford by King Henry the Eighth, confirmed by the Act of the thirteenth year of the reign of Queen Elizabeth, chapter twenty-nine, the chancellor of the University of Oxford and his commissary (commonly called the vice-chancellor), and the deputy of the commissary, are justices of the peace for the counties of Oxford and Berks, and it is expedient to remove doubts respecting the sitting and acting of such chancellor, commissary, and deputy as such justices :

Be it therefore enacted, &c. :

1. *Short title.*] This Act may be cited as the Oxford University (Justices) Act, 1886.

2. *Appointment of petty sessional court house in University of Oxford.*] The chancellor, masters, and scholars of the University of Oxford may, from time to time, fix a place within the precincts of the University at which the chancellor of the said University, and his commissary for the time being (commonly called the vice-chancellor), and the deputy of the aforesaid commissary for the time being may sit and act as justices of the peace for the counties of Oxford and Berks, and when they, or any of them, sit in the place so appointed, and act as justices or justice of the peace for the county of Oxford or Berks, such place shall be deemed to be a petty sessional court house within the meaning of the Summary Jurisdiction Act, 1879, and to be situate within the county of Oxford or the county of Berks, as the case requires, and any justice of the peace for the county of Oxford or the county of Berks, as the case requires, may accordingly sit and act with them or him as justice of the peace in such court house.

CAP. XXXII.

An Act to amend the Contagious Diseases (Animals) Act, 1878. [25th June 1886.]

Be it enacted, &c. :

1.—*Short title, construction, and citation of Acts.*

(1.) This Act may be cited as the Contagious Diseases (Animals) Act, 1886, and, so far as is consistent with the tenor thereof, shall be construed as one with the Contagious Diseases (Animals) Act, 1878 (in this Act referred to as the "principal Act"), and shall apply to Scotland and Ireland with the modifications and subject to the provisions contained in Parts III. and IV. respectively of the principal Act.

(2.) The Contagious Diseases (Animals) Acts, 1878 and 1884, the Contagious Diseases (Animals) Transfer of Parts of Districts Act, 1884, and this Act, may be together cited as the Contagious Diseases (Animals) Acts, 1878 to 1886.

2. *Provisions as to infected circle.* (1.) Where the Privy Council by general order declare that this section shall apply in the case of any disease, then, upon any place becoming, in pursuance of a declaration made and signed by an inspector of a local authority, a place infected with such disease, the whole space lying within a distance of half a mile from any part of such infected place shall become and be a circle infected with such disease: Provided that the Privy Council may, if they think fit, by special order, limit the application of any such general order to infected places in any particular district or districts.

(2.) Where, under or in pursuance of the principal Act or this Act, the place in respect of which an infected circle has been constituted in pursuance of this section ceases to be an infected place, such infected circle shall cease to exist.

(3.) The Privy Council may from time to time make such general and special orders as they think fit for giving public notice of the existence of, and for contracting the limits of, and dissolving infected circles, and for prohibiting or regulating the movement of animals in, into, and out of infected circles, or for any of those purposes, or for authorising a local authority to make regulations for those purposes or any of them, subject to such conditions, if any, as the Privy Council think fit to prescribe.

(4.) Where two or more circles infected with the same disease adjoin or overlap each other, the whole of such infected circles shall, if the Privy Council so order, be deemed for the purpose of the movement of animals under any orders or regulations made in pursuance of this section to be one infected circle.

3. *Amendment of 41 & 42 Viet. c. 74, ss. 17, 23, for contracting limits of infected place.* The Privy Council shall have power, in pursuance of sections seventeen and twenty-three of the principal Act, from time to time, if they think fit, by order to contract or otherwise alter, as well as to extend, the limits of places infected with the diseases in those sections respectively mentioned; and the said sections shall be construed accordingly.

4. *Amendment of ss. 20, 26, as to declaration of freedom from infection.* (1.) A local authority before making an order under sub-section one of section twenty or sub-section one of section twenty-six of the principal Act declaring any place to be free from pleuro-pneumonia or foot-and-mouth disease, shall with a view to the making of such order obtain the assistance and advice of a veterinary inspector, or of a person qualified according to the said Act to be such.

(2.) Sub-section two of section twenty, and sub-section two of section twenty-six, of the principal Act are hereby repealed, and in lieu thereof be it enacted as follows:

Where the Privy Council or a local authority have declared a place to be infected with pleuro-pneumonia or foot-and-mouth disease, the Privy Council may at any time, if they think fit, by order declare that place to be from such disease.

5. *Amendment of s. 22, as to inquiry respecting foot-and-mouth disease.* The Privy Council may by order direct that a local authority, in making an inquiry, under sub-section five of section twenty-two of the principal Act, into the correctness of an inspector's declaration respecting the existence of foot-and-mouth disease in any place, shall obtain the assistance and advice of a veterinary inspector, or of a person qualified according to the said Act to be such.

6. *Repeal of s. 29, and provision as to slaughter of animals.* Section twenty-nine of the principal Act

is hereby repealed without prejudice to any order made thereunder before the passing of this Act, and in lieu thereof be it enacted as follows:

The Privy Council may from time to time make such orders as they think fit, subject and according to the provisions of the principal Act, for directing or authorising, in case of the existence or suspected existence of any disease other than cattle plague, and under such conditions as the Privy Council think fit to prescribe, the slaughter of animals by local authorities, either generally or in particular instances and in all or any of such cases the payment of compensation for the same by local authorities out of the local rate; and such orders may direct or authorise the slaughter both of animals actually affected with disease, and also of animals suspected of disease, or being or having been in the same field, shed, or other place, or in the same herd or flock, or otherwise in contact, with animals affected with disease, or being or having been otherwise exposed to the infection thereof.

7. *Provision as to delegation by local authority of power to make regulations.* The Privy Council, in any order made by them under section thirty-two of the principal Act, or under this Act, for authorising a local authority to make regulations, may provide that the power to make such regulations for any purpose or purposes specified in that behalf in the order shall be exercised only by the said local authority or their executive committee, and shall not be deputed to any other committee nor to a sub-committee; and the third and sixth paragraphs of the Sixth Schedule to the principal Act shall have effect subject to any such provisions as aforesaid.

8. *Amendment of s. 32 for extending definition of animals.* The power of the Privy Council to make orders under section thirty-two of the principal Act shall extend to the making of orders for the following purpose; that is to say:

For extending, for all or any of the purposes of the principal Act, or any Act amending the same, the definition of animals in that Act, so that the same shall for those purposes or any of them comprise any kind of four-footed beasts, in addition to the animals mentioned in the said Act;

and this purpose shall be deemed to be included among the purposes mentioned in the said section thirty-two.

9. *Transfer to Local Government Board of powers of Privy Council under s. 34.* (1.) The powers vested in the Privy Council of making general or special orders under section thirty-four of the principal Act, for the purposes in that section mentioned, are hereby transferred to and shall henceforth be exercisable by the Local Government Board; every such order shall have effect as if enacted in this section, and shall be published in such manner as the Local Government Board may direct, and the said Board may from time to time alter or revoke any such order.

(2.) For the purposes of the said section and this section, and of any order in force thereunder, the expression local authority, unless the context otherwise requires, in the metropolis has the same meanings as in the principal Act, and elsewhere has the same meanings as in the Public Health Act, 1875.

(3.) Any expenses incurred by a local authority in the metropolis in pursuance of section thirty-four of the principal Act, as amended by this section, shall be defrayed out of the local rate applicable to their expenses under the principal Act; and any expenses so incurred by any other local authority shall be defrayed as if they were incurred in the execution of the Public Health Act, 1875, and in the case of a rural sanitary authority shall be deemed to be general expenses.

(4.) The local authority and their officers, for the purpose of enforcing the said orders and any regulations made thereunder, shall have the same right to be admitted to any premises as the local authority, within the meaning of the Public Health Act, 1875, and their officers have, under section one hundred and two of that Act, for the purpose of examining as to the existence of any nuisance thereon; and if such admission is refused the like proceedings may be taken, with the like incidents and consequences as to orders for admission, penalties, costs, expenses, and otherwise, as in the case of a refusal to admit to premises for any of

the purposes of the said section one hundred and two, and as if the local authority mentioned in the said Act included a local authority in the metropolis as defined in this section.

Provided that nothing in this section shall authorise any person, except with the permission of the local authority under the principal Act, to enter any cowshed or other place in which an animal affected with any disease is kept, and which is situate in a place declared to be infected with such disease.

(5.) The like penalties for offences against orders or regulations made for the purposes of section thirty-four of the principal Act as amended by this section may be imposed by the Local Government Board or local authority making the same, and such offences may be prosecuted and penalties recovered in a summary manner, and subject to the like provisions, as if such orders or regulations were bylaws of a local authority under the Public Health Act, 1875, and as if the local authority mentioned in that Act included a local authority in the metropolis as defined in this section.

(6.) Whereas under the powers of the principal Act the Privy Council have made an Order known as the Dairies, Cowsheds, and Milkshops Order of 1885, and certain authorities have made regulations under that Order, or having effect in pursuance thereof; and it is expedient by reason of the foregoing provisions of this section to make provision respecting such order and regulations: Be it therefore enacted as follows:—

(a.) The Dairies, Cowsheds, and Milkshops Order of 1885, and any regulations thereunder, or having effect in pursuance thereof, made by any local authority under the principal Act, other than the local authority of a county, shall be deemed to have been made respectively by the Local Government Board and by a local authority under this section; and any such regulations made by the local authority of a county, within the meaning of the principal Act, shall, so far as they extend to the district of any local authority as defined in this section, be deemed to have been made by such local authority.

(b.) So much of any register kept by the local authority of any county under the said order as relates to the district of any local authority as defined in this section, or a copy thereof, shall, as soon as may be after the passing of this Act, be delivered to the local authority by the local authority of the county.

(7.) In the application of this section to Scotland, the expression "Local Government Board" shall mean the Board of Supervision for relief of the Poor and for Public Health; the expression "local authority" shall mean the local authority under the Public Health (Scotland) Act, 1867; the expressions "Public Health Act, 1875," and "section one hundred and two of the said Act," shall mean respectively the Public Health (Scotland) Act, 1867, and section seventeen of the said Act; the expression "bylaws of a local authority" shall mean rules and regulations made by a local authority under the Public Health (Scotland) Act, 1867, and generally the board of supervision and the local authority under the Public Health (Scotland) Act, 1867, shall have all the powers of the Privy Council, and the local authority under section thirty-four of the Contagious Diseases (Animals) Act, 1878, with regard to the regulation of dairies, cowsheds, and milkshops: Provided always, that no general or special order made by the board of supervision under this section shall be binding until it has been confirmed by the Secretary for Scotland, subject to such conditions (if any) as the Secretary for Scotland shall think fit.

(8.) In the application of this section to Ireland, the Local Government Board for Ireland shall be substituted for the Local Government Board; the expression "local authority" shall mean an urban or rural sanitary authority within the meaning of the Public Health (Ireland) Act, 1878, and that Act and section one hundred and eighteen thereof shall respectively be substituted for the Public Health Act, 1875, and for section one hundred and two of the said last-mentioned Act, and the Dairies, Cowsheds, and Milkshops Order of 1879 shall be substituted for the Dairies, Cowsheds, and Milkshops Order of 1885.

10. *Amendment of s. 39, as to providing sheds, &c.* Section thirty-nine of the principal Act shall extend to enable a local authority to provide, erect, and fit up wharves, stations, lairs, sheds, and other places for the landing, reception, keeping, sale, slaughter, or disposal of animals not being foreign, and of carcases, fodder, litter, dung, and other things of and relating to such animals, in like manner as if they were foreign animals; and the said section shall be construed accordingly.

11. *Recovery from shipowner of expenses incurred by local authority under s. 53.* Where a local authority has incurred any expenses under section fifty-three of the principal Act on account of the burial or destruction of the carcase of any animal which, or the carcase of which, was thrown or washed from any vessel, the owner of such vessel shall be liable to repay such expenses to the said local authority; and the said local authority may recover such expenses, with costs, in the same manner as salvage is recoverable.

12. *Amendment of s. 59, as to returns to Parliament.* So much of section fifty-nine of the principal Act as requires a return to be made and laid before both Houses of Parliament setting forth every Order of Council made since the date of the last return, and every previous Order of Council required to be published in the London Gazette, and in force, is hereby repealed.

13. *Amendment of Third and Fourth Schedules.* Nothing in the Third or Fourth Schedule to the principal Act, which said schedules contain rules having effect in relation to places and areas infected with pleuro-pneumonia and foot-and-mouth disease respectively, shall be deemed in any way to limit the power of the Privy Council to make orders for prohibiting or regulating the movement of cattle or animals in a place infected with either of those diseases.

CAP. XXXIII.

An Act to amend the Law respecting International and Colonial Copyright.

[25th June 1886.

Whereas by the International Copyright Acts Her Majesty is authorised by Order in Council to direct that as regards literary and artistic works first published in a foreign country the author shall have copyright therein during the period specified in the order, not exceeding the period during which authors of the like works first published in the United Kingdom have copyright:

And whereas at an international conference held at Berne in the month of September one thousand eight hundred and eighty-five a draft of a convention was agreed to for giving to authors of literary and artistic works first published in one of the countries parties to the convention copyright in such works throughout the other countries parties to the convention:

And whereas, without the authority of Parliament, such convention cannot be carried into effect in Her Majesty's dominions and consequently Her Majesty cannot become a party thereto, and it is expedient to enable Her Majesty to accede to the convention:

Be it therefore enacted, &c.:

1. *Short titles and construction.* (1.) This Act may be cited as the International Copyright Act, 1886.

(2.) The Acts specified in the first part of the First Schedule to this Act are in this Act referred to and may be cited by the short titles in that schedule mentioned, and those Acts, together with the enactment specified in the second part of the said schedule, are in this Act collectively referred to as the International Copyright Acts.

The Acts specified in the Second Schedule to this Act may be cited by the short titles in that schedule mentioned, and those Acts are in this Act referred to, and may be cited collectively as the Copyright Acts.

(3.) This Act and the International Copyright Acts shall be construed together, and may be cited together as the International Copyright Acts, 1844 to 1886.

2. *Amendment as to extent and effect of order under International Copyright Acts.* The following provisions shall apply to an Order in Council under the International Copyright Acts:—

(1.) The order may extend to all the several foreign countries named or described therein:

(2.) The order may exclude or limit the rights conferred by the International Copyright Acts in the case of authors who are not subjects or citizens of the foreign countries named or described in that or any other order, and if the order contains such limitation and the author of a literary or artistic work first produced in one of those foreign countries is not a British subject, nor a subject or citizen of any of the foreign countries so named or described, the publisher of such work, unless the order otherwise provides, shall for the purpose of any legal proceedings in the United Kingdom for protecting any copyright in such work be deemed to be entitled to such copyright as if he were the author, but this enactment shall not prejudice the rights of such author and publisher as between themselves:

(3.) The International Copyright Acts and an order made thereunder shall not confer on any person any greater right or longer term of copyright in any work than that enjoyed in the foreign country in which such work was first produced.

3. *Simultaneous publication.* (1.) An Order in Council under the International Copyright Acts may provide for determining the country in which a literary or artistic work first produced simultaneously in two or more countries, is to be deemed, for the purpose of copyright, to have been first produced, and for the purposes of this section "country" means the United Kingdom and a country to which an order under the said Acts applies.

(2.) Where a work produced simultaneously in the United Kingdom, and in some foreign country or countries is by virtue of an Order in Council under the International Copyright Acts deemed for the purpose of copyright to be first produced in one of the said foreign countries, and not in the United Kingdom, the copyright in the United Kingdom shall be such only as exists by virtue of production in the said foreign country, and shall not be such as would have been acquired if the work had been first produced in the United Kingdom.

4. *Modifications of certain provisions of International Copyright Acts.* (1.) Where an order respecting any foreign country is made under the International Copyright Acts the provisions of those Acts with respect to the registry and delivery of copies of works shall not apply to works produced in such country except so far as provided by the order.

(2.) Before making an Order in Council under the International Copyright Acts in respect of any foreign country, Her Majesty in Council shall be satisfied that that foreign country has made such provisions (if any) as it appears to Her Majesty expedient to require for the protection of authors of works first produced in the United Kingdom.

5. *Restriction on translation.* (1.) Where a work being a book or dramatic piece is first produced in a foreign country to which an Order in Council under the International Copyright Acts applies, the author or publisher, as the case may be, shall, unless otherwise directed by the order, have the same right of preventing the production in and importation into the United Kingdom of any translation not authorised by him of the said work as he has of preventing the production and importation of the original work.

(2.) Provided that if after the expiration of ten years, or any other term prescribed by the order, next after the end of the year in which the work, or in the case of a book published in numbers each number of the book, was first produced, an authorised translation in the English language of such work or number has not been produced, the said right to prevent the production in and importation into the United Kingdom of an unauthorised translation of such work shall cease.

(3.) The law relating to copyright, including this Act, shall apply to a lawfully produced translation of a work in like manner as if were an original work.

(4.) Such of the provisions of the International

Copyright Act, 1852, relating to translations as are unrepealed by this Act shall apply in like manner as if they were re-enacted in this section.

6. *Application of Act to existing works.* Where an Order in Council is made under the International Copyright Acts with respect to any foreign country, the author and publisher of any literary or artistic work first produced before the date at which such order comes into operation shall be entitled to the same rights and remedies as if the said Acts and this Act and the said order had applied to the said foreign country at the date of the said production: Provided that where any person has before the date of the publication of an Order in Council lawfully produced any work in the United Kingdom, nothing in this section shall diminish or prejudice any rights or interests arising from or in connexion with such production which are subsisting and valuable at the said date.

7. *Evidence of foreign copyright.* Where it is necessary to prove the existence or proprietorship of the copyright of any work first produced in a foreign country to which an Order in Council under the International Copyright Acts applies, an extract from a register, or a certificate, or other document stating the existence of the copyright, or the person who is the proprietor of such copyright, or is for the purpose of any legal proceedings in the United Kingdom deemed to be entitled to such copyright, if authenticated by the official seal of a Minister of State of the said foreign country, or by the official seal or the signature of a British diplomatic or consular officer acting in such country, shall be admissible as evidence of the facts named therein, and all courts shall take judicial notice of every such official seal and signature as is in this section mentioned, and shall admit in evidence, without proof, the documents authenticated by it.

8. *Application of Copyright Acts to colonies.* (1.) The Copyright Acts shall, subject to the provisions of this Act, apply to a literary or artistic work first produced in a British possession in like manner as they apply to a work first produced in the United Kingdom:

Provided that—

(a) the enactments respecting the registry of the copyright in such work shall not apply if the law of such possession provides for the registration of such copyright; and

(b) where such work is a book the delivery to any persons or body of persons of a copy of any such work shall not be required.

(2.) Where a register of copyright in books is kept under the authority of the government of a British possession, an extract from that register purporting to be certified as a true copy by the officer keeping it, and authenticated by the public seal of the British possession, or by the official seal or the signature of the governor of a British possession, or of a colonial secretary, or of some secretary or minister administering a department of the government of a British possession, shall be admissible in evidence of the contents of that register, and all courts shall take judicial notice of every such seal and signature, and shall admit in evidence, without further proof, all documents authenticated by it.

(3.) Where before the passing of this Act an Act or ordinance has been passed in any British possession respecting copyright in any literary or artistic works, Her Majesty in Council may make an Order modifying the Copyright Acts and this Act, so far as they apply to such British possession, and to literary and artistic works first produced therein, in such manner as to Her Majesty in Council seems expedient.

(4.) Nothing in the Copyright Acts or this Act shall prevent the passing in a British possession of any Act or ordinance respecting the copyright within the limits of such possession of works first produced in that possession.

(5.) *Application of International Copyright Acts to colonies.* Where it appears to Her Majesty expedient that an Order in Council under the International Copyright Acts made after the passing of this Act as respects any foreign country, should not apply to any British possession, it shall be lawful for Her Majesty by the same or any other Order in Council to declare that such Order and the International Copyright Acts and this Act

shall not, and the same shall not, apply to such British possession, except so far as is necessary for preventing any prejudice to any rights acquired previously to the date of such Order; and the expressions in the said Acts relating to Her Majesty's dominions shall be construed accordingly; but save as provided by such declaration the said Acts and this Act shall apply to every British possession as if it were part of the United Kingdom.

10. *Making of Orders in Council.* (1.) It shall be lawful for Her Majesty from time to time to make Orders in Council for the purposes of the International Copyright Acts and this Act, for revoking or altering any Order in Council previously made in pursuance of the said Acts, or any of them.

(2.) Any such Order in Council shall not affect prejudicially any rights acquired or accrued at the date of such Order coming into operation, and shall provide for the protection of such rights.

11. *Definitions.* In this Act, unless the context otherwise requires—

The expression "literary and artistic work" means every book, print, lithograph, article of sculpture, dramatic piece, musical composition, painting, drawing, photograph, and other work of

literature and art to which the Copyright Acts or the International Copyright Acts, as the case requires, extend.

The expression "author" means the author, inventor, designer, engraver, or maker of any literary or artistic work, and includes any person claiming through the author; and in the case of a posthumous work means the proprietor of the manuscript of such work and any person claiming through him; and in the case of an encyclopædia, review, magazine, periodical work, or work published in a series of books or parts, includes the proprietor, projector, publisher, or conductor.

The expressions "performed" and "performance" and similar words include representation and similar words.

The expression "produced" means, as the case requires, published or made, or performed or represented, and the expression "production" is to be construed accordingly.

The expression "book published in numbers" includes any review, magazine, periodical work, work published in a series of books or parts, transactions of a society or body, and other books of which different volumes or parts are published at different times.

The expression "treaty" includes any convention or arrangement.

The expression "British possession" includes any part of Her Majesty's dominions exclusive of the United Kingdom; and where parts of such dominions are under both a central and a local legislature, all parts under one central legislature are for the purposes of this definition deemed to be one British possession.

12. *Repeal of Acts.* The Acts specified in the Third Schedule to this Act are hereby repealed as from the passing of this Act to the extent in the third column of that schedule mentioned:

Provided as follows:

(a.) Where an Order in Council has been made before the passing of this Act under the said Acts as respects any foreign country the enactments hereby repealed shall continue in full force as respects that country until the said Order is revoked.

(b.) The said repeal and revocation shall not prejudice any rights acquired previously to such repeal or revocation, and such rights shall continue and may be enforced in like manner as if the said repeal or revocation had not been enacted or made.

FIRST SCHEDULE. INTERNATIONAL COPYRIGHT ACTS. PART I.

| Session and Chapter. | Title. | Short Title. |
|-----------------------------|--|--|
| 7 & 8 Vict. c. 12 | An Act to amend the law relating to International Copyright. | The International Copyright Act, 1844. |
| 15 & 16 Vict. c. 12 | An Act to enable Her Majesty to carry into effect a convention with France on the subject of copyright, to extend and explain the International Copyright Acts, and to explain the Acts relating to copyright in engravings. | The International Copyright Act, 1852. |
| 38 & 39 Vict. c. 12 | An Act to amend the law relating to International Copyright. | The International Copyright Act, 1875. |

PART II.

| Session and Chapter. | Title. | Enactment referred to. |
|-----------------------------|---|------------------------|
| 25 & 26 Vict. c. 68 | An Act for amending the law relating to copyright in works of the fine arts, and for repressing the commission of fraud in the production and sale of such works. | Section twelve. |

SECOND SCHEDULE. COPYRIGHT ACTS.

| Session and Chapter. | Title. | Short Title. |
|-------------------------------|--|--|
| 8 Geo. 2, c. 13 | An Act for the encouragement of the arts of designing, engraving, and etching historical and other prints by vesting the properties thereof in the inventors and engravers during the time therein-mentioned. | The Engraving Copyright Act, 1734. |
| 7 Geo. 3, c. 38 | An Act to amend and render more effectual an Act made in the eighth year of the reign of King George the Second, for encouragement of the arts of designing, engraving, and etching historical and other prints, and for vesting in and securing to Jane Hogarth, widow, the property in certain prints. | The Engraving Copyright Act, 1766. |
| 15 Geo. 3, c. 53 | An Act for enabling the two Universities in England, the four Universities in Scotland, and the several Colleges of Eton, Westminster, and Winchester to hold in perpetuity their copyright in books given or bequeathed to the said universities and colleges for the advancement of useful learning and other purposes of education; and for amending so much of an Act of the eighth year of the reign of Queen Anne as relates to the delivery of books to the warehouse keeper of the Stationers' Company for the use of the several libraries therein mentioned. | The Copyright Act, 1775. |
| 17 Geo. 3, c. 57 | An Act for more effectually securing the property of prints to inventors and engravers by enabling them to sue for and recover penalties in certain cases. | The Prints Copyright Act, 1777. |
| 54 Geo. 3, c. 56 | An Act to amend and render more effectual an Act of his present Majesty for encouraging the art of making new models and casts of busts and other things therein mentioned, and for giving further encouragement to such arts. | The Sculpture Copyright Act, 1814. |
| 3 Will. 4, c. 15 | An Act to amend the laws relating to Dramatic Literary Property. | The Dramatic Copyright Act, 1833. |
| 5 & 6 Will. 4, c. 65 | An Act for preventing the publication of Lectures without consent. | The Lectures Copyright Act, 1835. |
| 6 & 7 Will. 4, c. 69 | An Act to extend the protection of copyright in prints and engravings to Ireland. | The Prints and Engravings Copyright Act, 1836. |
| 6 & 7 Will. 4, c. 110 | An Act to repeal so much of an Act of the fifty-fourth year of King George the Third respecting copyrights, as requires the delivery of a copy of every published book to the libraries of St. George's College, the four Universities of Scotland, and of the King's Inns in Dublin. | The Copyright Act, 1836. |
| 5 & 6 Vict. c. 45 | An Act to amend the law of copyright. | The Copyright Act, 1842. |
| 10 & 11 Vict. c. 95 | An Act to amend the law relating to the protection in the Colonies of works entitled to copyright in the United Kingdom. | The Colonial Copyright Act, 1847. |
| 25 & 26 Vict. c. 68 | An Act for amending the law relating to copyright in works of the fine arts, and for repressing the commission of fraud in the production and sale of such works. | The Fine Arts Copyright Act, 1862. |

THIRD SCHEDULE.
ACTS REPEALED.

| Session and Chapter. | Title. | Extent of Repeal. |
|-----------------------------|---|---|
| 7 & 8 Vict. c. 12 | An Act to amend the law relating to international copyright. | Sections fourteen, seventeen, and eighteen. |
| 15 & 16 Vict. c. 12 | An Act to enable Her Majesty to carry into effect a convention with France on the subject of copyright, to extend and explain the International Copyright Acts, and to explain the Acts relating to copyright engravings. | Sections one to five both inclusive, and sections eight and eleven. |
| 25 & 26 Vict. c. 68 | An Act for amending the law relating to copyright in works of the fine arts, and for repressing the commission of fraud in the production and sale of such works. | So much of section twelve as incorporates any enactment repealed by this Act. |

CAP. XXXIV.

An Act to extend the time for the Repayment of Loans granted by the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy to Incumbents of Benefices. [25th June 1886.

Be it enacted, &c. :

1. *Extension of term for the repayment of loans.*] The Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy (herein-after called the "Governors,") when the income of a benefice has been materially diminished by the reduction in letting value of any glebe land may, by resolution passed by them at a board meeting before the thirty-first day of December one thousand eight hundred and eighty-seven, at their discretion, with the previous consent of the patron, extend the term fixed for the repayment of any money lent by them to or for the incumbent of any such benefice before the first day of January one thousand eight hundred and eighty-one, under the powers of one or more of the Acts enumerated in the schedule hereto, such extended time to be added to the term created by the mortgage affected thereby, that is to say :

By extending such term for any period not exceeding twenty years from the yearly period next before the date of the resolution to be passed in respect of such benefice, to be accompanied by a corresponding reduction of the amount of the annual instalments of principal and interest.

The date of any such resolution, the term of extension, and the altered rate of payments or of instalments, shall be endorsed on the respective mortgage deeds free of charge to the incumbent.

2. *Application of Act not to invalidate instruments of security.*] The application of the provisions of this Act shall not in any way invalidate the instruments of security under which loans have been granted by the Governors; the said provisions shall extend and apply to such instruments as if originally fully and expressly inserted therein.

3. *Short title.*] This Act may be cited as the Incumbents of Benefices Loans Extension Act, 1886.

SCHEDULE.

17 Geo. 3. c. 53., 21 Geo. 3. c. 66., 7 Geo. 4. c. 66., 1 & 2 Vict. c. 23., 1 & 2 Vict. c. 106., 28 & 29 Vict. c. 69., 34 & 35 Vict. c. 43., 35 & 36 Vict. c. 96., 44 & 45 Vict. c. 25.

CAP. XXXV.

An Act respecting the Representation in the Parliament of Canada of Territories which for the time being form part of the Dominion of Canada, but are not included in any Province. [25th June 1886.

CAP. XXXVI.

An Act to provide for the determination of the Acts respecting the Sale and Transfer of Incumbered Estates in the West Indies. [25th June 1886.

CAP. XXXVII.

An Act to remove certain doubts respecting the construction of the Patents, Designs, and Trade Marks Act, 1883, so far as respects the drawings by which specifications are required

to be accompanied, and as respects exhibitions. [25th June 1886.

Whereas by section five of the Patents, Designs, and Trade Marks Act, 1883, specifications, whether provisional or complete, must be accompanied by drawings if required, and doubts have arisen as to whether it is sufficient that a complete specification refers to the drawings by which the provisional specification was accompanied, and it is expedient to remove such doubts :

Be it therefore enacted, &c. :

1. *Short title and construction.*] This Act may be cited as the Patents Act, 1886, and shall be construed as one with the Patents, Designs, and Trade Marks Acts, 1883 and 1885, and, together with those Acts, may be cited as the Patents, Designs, and Trade Marks Acts, 1883 to 1886.

2. *The same drawings may accompany both specifications.*] The requirement of sub-section four of section five of the Patents, Designs, and Trade Marks Act, 1883, as to drawings shall not be deemed to be insufficiently complied with by reason only that instead of being accompanied by drawings the complete specification refers to the drawings which accompanied the provisional specification. And no patent heretofore sealed shall be invalid by reason only that the complete specification was not accompanied by drawings but referred to those which accompanied the provisional specification.

3. *Protection of patents and designs exhibited at international exhibitions.*] Whereas by section thirty-nine of the Patents, Designs, and Trade Marks Act, 1883, as respects patents, and by section fifty-seven of the same Act as respects designs, provision is made that the exhibition of an invention or design at an industrial or international exhibition, certified as such by the Board of Trade, shall not prejudice the rights of the inventor or proprietor thereof, subject to the conditions therein mentioned, one of which is that the exhibitor must, before exhibiting the invention, design, or article, or publishing a description of the design, give the Controller the prescribed notice of his intention to do so :

And whereas it is expedient to provide for the extension of the said sections to industrial and international exhibitions held out of the United Kingdom, be it therefore enacted as follows :

It shall be lawful for Her Majesty, by Order in Council, from time to time to declare that sections thirty-nine and fifty-seven of the Patents, Designs, and Trade Marks Act, 1883, or either of those sections, shall apply to any exhibition mentioned in the Order in like manner as if it were an industrial or international exhibition certified by the Board of Trade, and to provide that the exhibitor shall be relieved from the conditions, specified in the said sections, of giving notice to the Controller of his intention to exhibit, and shall be so relieved either absolutely or upon such terms and conditions as to Her Majesty in Council may seem fit.

CAP. XXXVIII.

An Act to provide Compensation for Losses by Riots. [25th June 1886.

Whereas by law the inhabitants of the hundred or other area in which property is damaged by persons riotously and tumultuously assembled together are liable in certain cases to pay compensation for such damage, and it is expedient to make other provision respecting such compensation and the mode of recovering the same :

Be it therefore enacted, &c. :

1. *Short title.*] This Act may be cited for all purposes as the Riot (Damages) Act, 1886.

2. *Compensation to persons for damage by riot.*]

(1.) Where a house, shop, or building in any police district has been injured or destroyed, or the property therein has been injured, stolen, or destroyed, by any persons riotously and tumultuously assembled together, such compensation as herein-after mentioned shall be paid out of the police rate of such district to any person who has sustained loss by such injury, stealing, or destruction; but in fixing the amount of such compensation regard shall be had to the conduct of the said person, whether as respects the precautions taken by him or as respects his being a party or accessory to such riotous or tumultuous assembly, or as regards any provocation offered to the persons assembled or otherwise.

(2.) Where any person having sustained such loss as aforesaid has received, by way of insurance or otherwise, any sum to recoup him, in whole or in part, for such loss, the compensation otherwise payable to him under this Act shall, if exceeding such sum, be reduced by the amount thereof, and in any other case shall not be paid to him, and the payer of such sum shall be entitled to compensation under this Act in respect of the sum so paid in like manner as if he had sustained the said loss, and any policy of insurance given by such payer shall continue in force as if he had made no such payment, and where such person was recouped as aforesaid otherwise than by payment of a sum, this enactment shall apply as if the value of such recoupment were a sum paid.

3. *Mode of awarding compensation.*] (1.) Claims for compensation under this Act shall be made to the police authority of the district in which the injury, stealing, or destruction took place, and such police authority shall inquire into the truth thereof, and shall, if satisfied, fix such compensation as appears to them just.

(2.) A Secretary of State may from time to time make, and when made, revoke and vary regulations respecting the time, manner, and conditions within, in, and under which claims for compensation under this Act are to be made, and all claims not made in accordance with such regulations may be excluded. Such regulations may also provide for the particulars to be stated in any claim, and for the verification of any claim, and of any facts incidental thereto, by statutory declarations, production of books, vouchers, and documents, entry of premises, and otherwise, and may also provide for any matter which under this Act can be prescribed, and for the police authority obtaining information and assistance for determining the said claims.

(3.) The said regulations shall be published in the London Gazette, and every police authority shall cause the same to be published in their police district, and copies thereof to be at all times sold to any applicant at a price not exceeding sixpence for each copy.

4. *Right of action to person aggrieved.*] (1.) Where a claim to compensation has been made in accordance with the regulations, and the claimant is aggrieved by the refusal or failure of the police authority to fix compensation upon such claim, or by the amount of compensation fixed, he may bring an action against the police authority to recover compensation in respect of all or any of the matters mentioned in such claim and to an amount not exceeding that mentioned therein, but if in such action he fails to recover any compensation or an amount exceeding that fixed by the police

authority, he shall pay the costs of the police authority as between solicitor and client.

(2.) If the amount of compensation for which such action is brought does not exceed one hundred pounds, the action shall be brought in the county court for any district in which any part of the police district is situate.

5. *Payment of compensation and expenses, and raising of money.* (1.) Where any compensation under this Act has been fixed by or recovered in an action against the police authority, that authority shall, on the prescribed conditions having been complied with, pay in the prescribed manner the amount of such compensation out of moneys held by them or their treasurer on account of their police force and shall also pay out of the said moneys, all costs and expenses payable by them in or incidental to the execution of this Act; and the amount required to meet the said payments (in this Act referred to as riot expenses), shall be raised as part of the police rate.

(2.) In the case of a county divided into districts within the meaning of the County Police Act, 1840, as amended by section four of the County and Borough Police Act, 1856, the riot expenses shall be defrayed by the district in which the injury, stealing, or destruction took place, as part of the local expenditure thereof.

(3.) Where the police forces of a borough and a county have been consolidated, riot expenses shall be paid by the county and borough respectively in such proportions as may have been agreed upon by the police authority for the county and the council of the borough, and if no agreement is made, in such proportions as the Secretary of State may from time to time determine; and such agreement may from time to time be made in the same manner and subject to the same conditions as an agreement to consolidate the said police forces.

(4.) Where the police rate is limited, an addition to that rate shall, if necessary, be levied for the purpose of raising the sum required to pay riot expenses under this Act.

6. *Application of Act to wreck and machinery.* This Act shall apply—

(a) in the case of the plundering, damage, or destruction of any ship or boat stranded or in distress on or near the shore of any sea or tidal water, or of any part of the cargo or apparel of such ship or boat, by persons riotously and tumultuously assembled together, whether on shore or afloat; and

(b) in the case of the injury or destruction, by persons riotously and tumultuously as-

sembled together, of any machinery, whether fixed or movable, prepared for or employed in any manufacture, or agriculture, or any branch thereof, or of any erection or fixture about or belonging to such machinery, or of any steam engine or other engine for sinking, draining, or working any mine or quarry, or of any shaft or erection used in conducting the business of any mine or quarry, or of any bridge, waggon-way, or trunk for conveying minerals or other product from any mine or quarry;

in like manner as if such plundering, damage, injury, or destruction were an injury, stealing, or destruction in respect of which compensation is payable under the foregoing provisions of this Act, and as if, in the case of such ship, boat, or cargo not being in any police district, such plundering, damage, or destruction took place in the nearest police district.

7. *As to claimants in the case of churches, public institutions, &c.* For the purposes of this Act—

(a) where a church or chapel has been injured or destroyed, or any property therein has been injured, stolen, or destroyed, the churchwardens or chapelwardens, if any, or, if there are none, the persons having the management of such church or chapel, or the persons in whom the legal estate in the same is vested; and

(b) where a school, hospital, public institution, or public building, has been injured or destroyed, or any property therein has been injured, stolen, or destroyed, the persons having the control of such school, hospital, institution, or building, or the persons in whom the legal estate in the same is vested;

shall be deemed to be the persons who have sustained loss from such injury, stealing, or destruction, and claims may be made by any one or more of such persons in relation both to the building and to the property therein, and payment to any such claimant shall discharge the liability of the police authority to pay compensation, but shall be without prejudice to the right of any person to recover the compensation from such payee.

8. *Compensation for loss sustained before passing of Act.* The police authority of any district other than the City of London or the metropolitan police district may, if they think fit, within one month after the passing of this Act, by order declare that claims for compensation under this Act may

be made in respect of losses sustained within such district during any period not exceeding twelve months next before the passing of this Act, and thereupon the said authority shall consider such claims, and may allow such compensation (if any) as they think fit, and the compensation so allowed shall be paid out of the fund in this Act provided with respect to riot expenses in like manner as if such expenses had been incurred after the passing of this Act.

A Secretary of State shall have power to make special regulations under this Act for the purpose of any claims for compensation to be made in pursuance of this section.

9. *Definitions.* In this Act, unless the context otherwise requires—

The expression "person" includes a body of persons, corporate or unincorporate:

The expression "police district" means one of the districts set forth in the first column of the First Schedule to this Act; and the expressions "police authority" and "police rate" mean, as respects each police district, the authority and rate respectively mentioned opposite to that district in the second and third columns of that Schedule, and the expressions defined in that Schedule shall have the meanings thereby assigned to them:

The expression "house, shop, or building" includes any premises appurtenant to the same:

The expression "borough" means a borough subject to the Municipal Corporations Act, 1882, and the Acts amending the same:

The expression "Secretary of State" means one of Her Majesty's Principal Secretaries of State.

10. *Repeal of Acts, and provision as to references to repealed Acts.* (1.) The Acts specified in the Second Schedule to this Act are hereby repealed to the extent in the third column of that Schedule mentioned, without prejudice to anything done or suffered in pursuance of any enactment so repealed, and any proceeding commenced before the passing of this Act under any enactment hereby repealed may be continued and any compensation upon such proceeding recovered in like manner as if such repeal had not been enacted.

(2.) A reference in any Act to an Act or enactment hereby repealed shall be deemed to be made to this Act.

11.—*Extent of Act.* This Act shall not extend to Scotland or Ireland.

FIRST SCHEDULE.

POLICE DISTRICTS AND AUTHORITIES.

| Police District. | Police Authority. | Police Rate. |
|---|--|---|
| The city of London and the liberties thereof. | The mayor and commonalty and citizens of London, acting by the common council. | The police rate. |
| The Metropolitan Police District. | The receiver for the Metropolitan Police District. | The rate authorised to be levied for raising that proportion of the sum required for defraying the expenses of the metropolitan police force which can be raised by a rate. |
| Any county, riding, parts, division, or liberty of a county maintaining a separate police force. | The justices in general or quarter sessions assembled. | The police rate. |
| A borough maintaining a separate police force. | The mayor, aldermen, and burgesses of the borough, acting by the council. | The borough fund or borough rate. |
| Any town not being a borough and maintaining a separate police force under any Local Act of Parliament. | The commissioners or other authority under the Local Act. | The fund or rate applicable under the Local Act for the expenses of the police force. |
| The river Tyne within the limits of the Acts relating to the Tyne Improvement Commissioners. | The Tyne Improvement Commissioners. | The tonnage rates and dues and other sums applicable under the Acts relating to the improvement of the river Tyne for the expenses of maintaining the police force. |

In this Act the expression "county" does not include a county of a city or county of a town.

All liberties of a county not maintaining a separate police force under the Acts relating to police forces shall be deemed to form part of the county of which they form part for the purposes of those Acts.

Where the police force of a borough has been consolidated with the police force of a county such borough shall be deemed for the purposes of this Act to form part of the police district constituted by the said county.

Such parts of any county as are within the Metropolitan Police District or as form part of any other police district shall not be deemed for the purposes of this Act to form part of the county police district.

SECOND SCHEDULE.
ACTS REPEALED.

| Session and Chapter. | Title. | Extent of Repeal. |
|-------------------------------|---|--|
| 7 & 8 Geo. 4, c. 31. | An Act for consolidating and amending the laws in England relative to remedies against the hundred. | The whole Act. |
| 2 & 3 Will. 4, c. 72. | An Act to extend the provisions of an Act of the seventh and eighth years of the reign of His late Majesty King George the Fourth relative to remedies against the hundred. | The whole Act. |
| 17 & 18 Vict. c. 104. | The Merchant Shipping Act, 1854. | Section 477, from "in England" down to "riotous assemblage, or as near thereto as circumstances permit," both inclusive. |

CAP. XXXIX.

An Act to amend the Law relating to Salmon and Freshwater Fisheries. [26th June 1886.]

Be it enacted, &c. :

Preliminary.

1. *Short title.*] This Act may be cited as the Salmon and Freshwater Fisheries Act, 1886.

This Act shall be construed as one with the Salmon and Freshwater Fisheries Acts; and those Acts and this Act may be cited collectively as the Salmon and Freshwater Fisheries Acts, 1861 to 1886.

2. *Commencement.*] This Act shall commence and come into operation on the first day of October one thousand eight hundred and eighty-six, which date is herein-after referred to as the commencement of this Act.

Salmon and Freshwater Fisheries.

3. *Transfer to the Board of Trade of powers and duties of Home Office.*] From and after the commencement of this Act all the powers and duties of the Secretary of State and of the Home Office under the Salmon and Freshwater Fisheries Acts shall be transferred to and exercised by the Board of Trade, and for the purpose of giving effect to this Act the Salmon and Freshwater Fisheries Acts shall be read and construed as if the Board of Trade were named therein instead of the Secretary of State or the Home Office.

The powers and duties of the inspectors appointed under the Salmon and Freshwater Fisheries Acts by the Home Office shall, from and after the commencement of this Act, be exercised by the inspectors then existing, and by the inspectors hereafter to be appointed by the Board of Trade under the provisions of the said Acts as amended by this Act: Provided always, that in all cases in which, under the said Acts or any of them, the approval of any inspector is required for any grating, as defined in the said Acts, the Board of Trade shall, from and after the commencement of this Act, be the authority who shall and may approve such grating, instead of such inspector.

4. *Proceedings of Board of Trade.*] (1.) All documents purporting to be orders, certificates, or other documents made or issued by the Board of Trade under the said Acts, or any of them, and to be sealed with the seal of the said Board, or to be signed by a secretary or assistant secretary of the Board, shall be received in evidence, and deemed to be such orders, certificates, or other documents without further proof, unless the contrary is shown.

(2.) A certificate signed by the President of the Board of Trade that any order, direction, or determination made or given, certificate issued, or act done, is the order, direction, determination, certificate, or act of the Board of Trade, shall be conclusive evidence of the fact so certified.

(3.) Every copy of any order, certificate, or other document made, given, or issued by the Home Office, the Board of Trade, or an inspector, under the provisions of the Salmon and Freshwater Fisheries Acts, or any of them, or of this Act, certified to be a true copy of such order, certificate, or other document, by a secretary or assistant secretary of the Board of Trade, or an inspector acting or appointed under the said Acts, or any of them, or this Act, and purporting to be sealed with

the seal of the said Board, or to be signed by such secretary, assistant secretary, or inspector, shall be received in evidence, and have the same effect to all intents and purposes as the original.

5. *Saving as to things done before the commencement of the Act.*] Nothing in this Act contained shall render invalid anything done or suffered, or take away any right or privilege acquired, or duty imposed, or liability or disqualification incurred before the commencement of this Act under the Salmon and Freshwater Fisheries Acts or any of them.

6. *Reports to be laid before Parliament.*] The provisions of section thirty-two of the Salmon Fishery Act, 1861, as amended by this Act, relating to annual reports from inspectors to be laid before Parliament, shall, so far as practicable, extend and apply to all salmon, freshwater, and sea fisheries, over which, under the Salmon and Freshwater Fisheries Acts as amended by this Act, or any other Acts, the Board of Trade have jurisdiction or control.

7. *Definition.*] In this Act, unless the context otherwise requires, the expression "Salmon and Freshwater Fisheries Acts" means the Acts set forth in the Schedule to this Act.

SCHEDULE.

SALMON AND FRESHWATER FISHERIES ACTS.

| Session and Chapter of Act. | Title. |
|-----------------------------|--|
| 24 & 25 Vict. c. 109 | The Salmon Fishery Act, 1861. |
| 26 Vict. c. 10 | The Salmon Acts Amendment Act, 1863. |
| 28 & 29 Vict. c. 121 | The Salmon Fishery Act, 1865. |
| 33 & 34 Vict. c. 33 | The Salmon Acts Amendment Act, 1870. |
| 36 & 37 Vict. c. 71 | The Salmon Fishery Act, 1873. |
| 39 & 40 Vict. c. 19 | The Salmon Fishery Act, 1876. |
| 39 & 40 Vict. c. 34 | The Elver Fishing Act, 1876. |
| 40 & 41 Vict. c. 65 | The Fisheries (Dynamite) Act, 1877. |
| 40 & 41 Vict. c. xcvi. | The Norfolk and Suffolk Fisheries Act, 1877. |
| 41 & 42 Vict. c. 39 | The Freshwater Fisheries Act, 1878. |
| 42 & 43 Vict. c. 26 | The Salmon Fishery Law Amendment Act, 1879. |
| 47 Vict. c. 11 | The Freshwater Fisheries Act, 1884. |
| 49 Vict. c. 2 | The Freshwater Fisheries Act, 1886. |

CAP. XL.

An Act to amend the Coal Mines Regulation Act, 1872. [26th June 1886.]

Be it enacted, &c. :

1. *Repeal of part of s. 18. of 35 & 36 Vict. c. 76.*] There shall be repealed so much of the eighteenth section of the Coal Mines Regulation Act, 1872 (in this Act referred to as the Principal Act), as pro-

vides that the check weigher shall be one of the persons employed either in the mine at which he is so stationed, or in another mine belonging to the owner of that mine.

And further, in all cases where a check weigher has been appointed by the majority of the colliers working in any mine and has acted as such, he may recover from such collier working in such mine his proportion of the check weighers wages or recompense notwithstanding that any colliers or collier may have left the colliery or others have entered the same since the check weighers appointment, any rule of law or equity to the contrary notwithstanding.

And further, it may be lawful for the owner or manager of any mine to retain the agreed contribution of the colliers for the check weigher, notwithstanding the provisions of the Acts relating to truck, and to pay and account for the same to the said check weigher.

2. *Attendance at inquest of relatives of deceased person.*] Whereas by section fifty of the Principal Act provisions are made with respect to holding coroners inquests on the bodies of persons whose deaths may have been caused by explosions or accidents in mines to which that Act applies, and amongst other things it is provided that an inspector shall be at liberty at any such inquest to examine any witness, subject nevertheless to the order of the coroner:

And whereas doubts are entertained as to the effect of the said enactment as respects the attendance of other persons: Be it therefore enacted, that where an inquest is held on the body of any person whose death has been caused by an explosion or accident of which notice is required by the Principal Act to be given to the inspector of the district, it shall be lawful for any relative of such person to attend in person or by agent, and to examine any witness, subject nevertheless to the order of the coroner.

3. *Formal investigation as to explosion or accident.*] Where it appears to a Secretary of State that a formal investigation of any explosion or accident and of its causes and circumstances is expedient, the Secretary of State may direct such investigation to be held, and with respect to any such investigation the following provisions shall have effect:

(1.) The Secretary of State may appoint an inspector to hold such investigation, and may appoint any person or persons possessing legal or special knowledge to assist him in holding such investigation.

(2.) The inspector and any person or persons so appointed (hereinafter called the court) shall (unless otherwise directed by the Secretary of State) hold the investigation in open court, in such manner and under such conditions as they may think most effectual for ascertaining the causes and circumstances of the explosion or accident, and enabling them to make the report in this section mentioned.

(3.) The court shall have for the purpose of such investigation all the powers of a court of summary jurisdiction when acting as a court in hearing informations for offences against this Act, and all the powers of an inspector under the Principal Act, and in addition the following powers; namely,

(a.) They may enter and inspect any place or building the entry or inspection whereof

appears to them requisite for the said purpose:

(b.) They may, by summons under their hands, require the attendance of all such persons as they think fit to call before them and examine for the said purpose, and may for such purpose require answers or returns to such inquiries as they think fit to make:

(c.) They may require the production of all books, papers, and documents which they consider important for the said purpose:

(d.) They may administer an oath, and require any person examined to make and sign a declaration of the truth of the statements made by him in his examination:

(e.) Persons attending as witnesses before the court shall be allowed such expenses as would be allowed to witnesses attending before a court of record; and in case of dispute as to the amount to be allowed, the same shall be referred by the court to a master of one of Her Majesty's superior courts, who, on request, under the hand of the inspector, shall ascertain and certify the proper amount of such expenses:

(4.) The court holding an investigation under this section shall make a report to the Secretary of State, stating the causes of the explosion or accident and its circumstances, and adding any observations which the court think right to make:

(5.) All expenses incurred in and about an investigation under this section (including the remuneration of any person or persons appointed to assist the inspector) shall be deemed to be part of the expenses of the Secretary of State in the execution of the Principal Act.

(6.) Any person without reasonable excuse (proof whereof shall lie on him) either fails, after having had the expenses (if any) to which he is entitled tendered to him, to comply with any summons or requisition of a court holding an investigation under this section, or prevents or impedes such court in the execution of their duty, shall for every such offence be liable to a fine not exceeding ten pounds, and in the case of a failure to comply with a requisition for making any return or producing any document not exceeding ten pounds for every day that such failure continues.

The Secretary of State may cause any report of a court under this section to be made public at such time and in such manner as he may think fit.

4. *Short titles and construction of Acts.* This Act may be cited as the Coal Mines Act, 1886, and shall be construed as one with the Principal Act; and the Principal Act and this Act may be together cited as the Coal Mines Acts, 1872 and 1886.

CAP. XLI.

An Act to alter certain duties of Customs and to amend the laws relating to the Customs, and for other purposes.

[25th June 1886.]

CAP. XLII.

An Act for amending the Law as to the appointment of Revising Barristers in England.

[25th June 1886]

Whereas doubts have arisen as to the judge authorised to appoint revising barristers on circuit under section twenty-eight of the Parliamentary Voters Registration Act, 1843, and the Acts amending the same, and it is expedient to remove such doubts, and also to amend the said Acts:

Be it therefore enacted, &c.:

1. *Senior judge actually travelling to appoint revising barristers.* (1.) The senior judge named in the commission of assize for the counties within any circuit, who actually travels that circuit or any part thereof during the summer circuit in any year, or such other judge (if any) as may be arranged by the judges going the summer circuit, shall be the judge having power to appoint the barristers to revise the lists of voters for that year within such

circuit in pursuance of section twenty-eight of the Parliamentary Voters Registration Act, 1843, and that section shall be construed accordingly.

(2.) Provided that if any judge having power to appoint revising barristers for any circuit, before he has appointed all or any of the barristers whom he is authorised to appoint, dies or becomes unable to appoint such barristers, the senior judge named in the said commission, who actually travels the remainder of the circuit, or such other judge (if any) as may be arranged by the judges going the summer circuit, shall be the judge having power to appoint such barristers so far as they have not been already appointed.

(3.) For the purposes of this section, but subject to any alterations of circuits hereafter made, Birmingham shall be deemed to be part of the Midland Circuit, and the county of Surrey shall be deemed to be a circuit.

2. *Power to appoint additional barristers.* (1.) If at any time after the fifth day of September in any year it is made to appear to one of Her Majesty's Principal Secretaries of State that the number of barristers appointed to revise the lists of voters for counties and boroughs on any circuit is insufficient, he shall signify such fact by notice under his hand to any judge of the High Court of Justice then sitting in chambers, and thereupon such judge shall appoint such number of duly qualified barristers as are specified in such notice to act in addition to the barristers originally appointed for such circuit, and a barrister so appointed shall have in all respects the same duties, powers, rights, and authorities as if he had been originally appointed.

(2.) There shall be paid to every additional barrister so appointed the sum of five guineas for every day that he is employed, together with three guineas each day for travelling and other expenses; and such barrister, after the termination of his last sitting, shall send to the Commissioners of Her Majesty's Treasury a statement of his appointment and a statement of the number of days during which he has been employed, and the said Commissioners shall pay the sum to the barrister out of moneys provided by Parliament, so, however, that he shall not receive from them more than two hundred guineas.

(3.) The Treasury shall lay before both Houses of Parliament within twenty days after the next meeting of Parliament, a statement of all appointments of additional barristers and of the sums paid to them.

(4.) Where any judge appoints barristers for counties and boroughs on any circuit, he shall appoint them to act for all the counties and boroughs for which he has power to appoint revising barristers; and each barrister, when acting for any county or borough, shall have in all respects the same duties, powers, rights, and authorities as if he had been appointed sole revising barrister for such county or borough.

(5.) For the purposes of this section the expression "circuit" includes Middlesex and the boroughs therein and the city of London, and the expression "judge" includes the Lord Chief Justice.

3. *Short titles and construction.* The Act of the session of the sixth and seventh years of the reign of Her present Majesty, chapter eighteen, intitled "An Act to amend the law for the registration of persons entitled to vote, and to define certain rights of voting, and to regulate certain proceedings in the election of members to serve in Parliament for England and Wales," is in this Act referred to and may be cited as the Parliamentary Voters Registration Act, 1843.

This Act shall be construed as one with the Parliamentary Voters Registration Act, 1843, and that Act and this Act and the Registration Act, 1885, may be cited together as the Parliamentary Voters Registration Acts, 1843, 1885, and 1886, and this Act may be cited separately as the Revising Barristers Act, 1886.

4. *Continuance of Act.* This Act shall continue in force until the thirty-first day of December one thousand eight hundred and eighty-seven, and no longer unless continued by Parliament.

CAP. XLIII.

An Act to amend the Law relating to the Appointment of Revising Barristers and the

attendance of County Officers at Revision Courts in Ireland.

[25th June 1886.]

CAP. XLIV.

An Act further to amend the Acts relating to the raising of Money by the Metropolitan Board of Works; and for other purposes.

[25th June 1886.]

CAP. XLV.

An Act to grant Money for the purpose of loans by the Public Works Loan Commissioners, the Commissioners of Public Works in Ireland, the Irish Land Commissioners, and the Fishery Board for Scotland, and to amend the Acts and make other provisions relating to the above-mentioned Commissioners and Board.

[25th June 1886.]

CAP. XLVI.

An Act to amend the Act of the sixth and seventh years of William the Fourth, chapter one hundred and eight.

[25th June 1886.]

CAP. XLVII.

An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes.

[25th June 1886.]

CAP. XLVIII.

An Act to amend the Medical Acts.

[25th June 1886.]

Be it enacted, &c.:

1. *Short title and construction.* This Act may be cited as the Medical Act, 1886, and shall be construed as one with the Medical Acts.

PART I.

ADMISSION TO MEDICAL PRACTICE AND CONSTITUTION OF GENERAL COUNCIL.

Qualifying Examinations.

2. *Examination before registration.* On and after the appointed day a person shall not be registered under the Medical Acts in respect of any qualification referred to in any of those Acts, unless he has passed such qualifying examination in medicine, surgery, and midwifery, as is in this Act mentioned.

3. *Qualifying examinations held by medical authorities.* (1.) A qualifying examination shall be an examination in medicine, surgery, and midwifery held, for the purpose of granting a diploma or diplomas conferring the right of registration under the Medical Acts, by any of the following bodies, that is to say:—

(a.) Any university in the United Kingdom or any medical corporation, legally qualified at the passing of this Act to grant such diploma or diplomas in respect of medicine and surgery; or

(b.) Any combination of two or more medical corporations in the same part of the United Kingdom who may agree to hold a joint examination in medicine, surgery, and midwifery, and of whom one at least is capable of granting such diploma as aforesaid in respect of medicine, and one at least is capable of granting such diploma in respect of surgery; or

(c.) Any combination of any such university as aforesaid with any other such university or universities, or of any such university or universities with a medical corporation or corporations, the bodies forming such combination being in the same part of the United Kingdom.

(2.) The standard of proficiency required from candidates at the said qualifying examinations shall be such as sufficiently to guarantee the possession of the knowledge and skill requisite for the efficient practice of medicine, surgery, and midwifery; and it shall be the duty of the General Council to secure the maintenance of such standard of proficiency as aforesaid; and for that purpose such number of inspectors as may be determined by the General Council shall be appointed by the

General Council, and shall attend, as the General Council may direct, at all or any of the qualifying examinations held by any of the bodies aforesaid.

(3.) Inspectors of examinations appointed under this section shall not interfere with the conduct of any examination, but it shall be their duty to report to the General Council their opinion as to the sufficiency or insufficiency of every examination which they attend, and any other matters in relation to such examination which the General Council may require them to report; and the General Council shall forward a copy of every such report to the body or to each of the bodies which held the examination in respect of which the said report was made, and shall also forward a copy of such report, together with any observations thereon made by the said body or bodies, to the Privy Council.

(4.) An inspector of examinations appointed under this section shall receive such remuneration, to be paid as part of the expenses of the General Council, as the General Council, with the sanction of the Privy Council, may determine.

4. *Withdrawal from medical authorities of right to hold qualifying examinations.* (1.) If at any time it appears to the General Council that the standard of proficiency in medicine, surgery, and midwifery, or in any of those subjects or any branch thereof, required from candidates at the qualifying examinations held by any of the bodies for the time being holding such examinations is insufficient, the General Council shall make a representation to that effect to the Privy Council, and the Privy Council, if they think fit, after considering such representation, and also any objections thereto made by any body or bodies to which such representation relates, may by order declare that the examinations of any such body or bodies shall not be deemed to be qualifying examinations for the purpose of registration under the Medical Acts; and Her Majesty, with the advice of Her Privy Council, if upon further representation from the General Council or from any body or bodies to which such order relates it seems to Her expedient so to do, shall have power at any time to revoke any such order.

(2.) During the continuance of any such order the examinations held by the body or bodies to which it relates shall not be deemed qualifying examinations under this Act, and any diploma granted to persons on passing such examinations shall not entitle such persons to be registered under the Medical Acts, and any such body shall not choose either separately or collectively with any other body a member of the General Council; and the member (if any) for the time being representing such body in the General Council shall, unless he was chosen by such body collectively with any other body not subject to an order under this section, be suspended from taking part in the proceedings of the General Council.

5. *Qualifying examinations held by medical corporation, with assistant examiners.* (1.) If a medical corporation represents to the General Council that it is unable to enter into such combination as is in this Act mentioned for the purpose of holding qualifying examinations, and the General Council is satisfied that the said medical corporation has used its best endeavours to enter into such combination as aforesaid, and is unable to do so on reasonable terms, it shall be lawful for the General Council from time to time, if they think fit, on the application of such corporation, to appoint any number of examiners to assist at the examinations which are held by such corporation for the purpose of granting any diploma or diplomas conferring on the holders thereof, if they have passed a qualifying examination, the right of registration under the Medical Acts.

(2.) It shall be the duty of the said assistant examiners to secure at the said examinations the maintenance of such standard of proficiency in medicine, surgery, and midwifery as is required under the foregoing provisions of this Act from candidates at qualifying examinations, and for that purpose the said assistant examiners shall have such powers and perform such duties in the conduct of those examinations as the General Council may from time to time by order prescribe; and any examination held subject to the provisions of this section shall be deemed to be a qualifying examination within the meaning of this Act.

(3.) Assistant examiners appointed under this section shall receive such remuneration, to be paid by the medical corporation at whose examinations they take part, as the General Council determine.

(4.) A medical corporation shall have power to admit to its examinations assistant examiners appointed under this section, and to conduct its examinations in accordance with the requirements of this section and of any orders made thereunder, anything in any Act or charter relating to such corporation to the contrary notwithstanding.

Effect of Registration.

6. *Privileges of registered persons.* On and after the appointed day a registered medical practitioner shall, save as in this Act mentioned, be entitled to practise medicine, surgery, and midwifery in the United Kingdom, and (subject to any local law) in any other part of Her Majesty's dominions, and to recover in due course of law in respect of such practice any expenses, charges in respect of medicaments or other appliances, or any fees to which he may be entitled, unless he is a fellow of a college of physicians, the fellows of which are prohibited by byelaw from recovering at law their expenses, charges, or fees, in which case such prohibitory byelaw, so long as it is in force, may be pleaded in bar of any legal proceeding instituted by such fellow for the recovery of expenses, charges, or fees.

Constitution of General Council.

7. *Members of General Council.* (1.) After the passing of this Act the General Council shall consist of the following members, that is to say:

Five persons nominated from time to time by Her Majesty, with the advice of Her Privy Council, three of whom shall be nominated for England, one for Scotland, and one for Ireland:

One person chosen from time to time by each of the following bodies:—

The Royal College of Physicians of London;
The Royal College of Surgeons of England;
The Apothecaries Society of London;
The University of Oxford;
The University of Cambridge;
The University of London;
The University of Durham;
The Victoria University, Manchester;
The Royal College of Physicians of Edinburgh;
The Royal College of Surgeons of Edinburgh;
The Faculty of Physicians and Surgeons of Glasgow;
The University of Edinburgh;
The University of Glasgow;
The University of Aberdeen;
The University of St Andrews;
The King's and Queen's College of Physicians in Ireland;
The Royal College of Surgeons in Ireland;
The Apothecaries Hall of Ireland;
The University of Dublin;
The Royal University of Ireland;

Three persons elected from time to time by the registered medical practitioners resident in England:

One person elected from time to time by the registered medical practitioners resident in Scotland:

One person elected from time to time by the registered medical practitioners resident in Ireland.

(2.) The provisions of this section relating to the representation of the Universities of Edinburgh and Aberdeen shall take effect on the occurrence of the first vacancy in the office of the person representing those Universities at the time of the passing of this Act, and the provisions of this section relating to the representation of the Universities of Glasgow and St. Andrews shall take effect on the occurrence of the first vacancy in the office of the person representing such last-mentioned Universities at the time of the passing of this Act; but nothing in this section shall affect the duration of the term of office of any person who at the time of the passing of this Act is a member of the General Council.

8. *Regulations as to election of representatives of the medical profession.* (1.) The members of the General Council representing the registered medical practitioners resident in the several parts of the

United Kingdom (in this section referred to as "direct representatives") shall themselves be registered medical practitioners; they shall be elected to hold office for the term of five years, and shall be capable of re-election, and any of them may at any time resign his office by letter addressed to the president of the General Council, and upon the death or resignation of any one of them, some other person shall be elected in his place; but the proceedings of the General Council shall not be questioned on account of a vacancy or vacancies among the direct representatives.

(2.) Each direct representative shall be a member of the branch council for the part of the United Kingdom in which he is elected; he shall also be entitled to fees for attendance and travelling expenses to the same extent as other members of the General Council are entitled to the same.

(3.) The president of the General Council, or any other person whom the General Council may from time to time appoint, shall be the returning officer for the purpose of elections of direct representatives, and such returning officer shall, some time not less than six weeks nor more than two months before the day on which the term of office of any such representative will expire, and as soon as conveniently may be after the occurrence of any vacancy arising from the death or resignation of any such representative, issue his precept to the branch council for that part of the United Kingdom in which such representative was elected, requiring the said branch council to cause a representative to be elected by the registered medical practitioners resident in that part of the United Kingdom within twenty-one days after the receipt of the precept of the returning officer.

(4.) The election shall be conducted in such manner as may be provided by regulations to be made by the Privy Council, provided as follows:—

(a.) The nomination shall be in writing, and the nomination paper of each candidate shall be signed by not fewer than twelve registered medical practitioners; and

(b.) The election shall be conducted by voting papers, and it shall be the duty of the branch council in any part of the United Kingdom in which an election is to be held, to cause a voting paper to be forwarded by post to each registered medical practitioner resident in that part at his registered address, but the election shall not be rendered void by reason of the omission of the branch council to cause such voting paper to be forwarded in any particular case or cases, and any registered medical practitioner to whom a voting paper has not been sent in pursuance of this Act may on application to the registrar of the said branch council obtain one from him; and

(c.) Any registered medical practitioner entitled to vote at such election may vote for as many candidates as there are representatives to be elected.

(5.) Each branch council shall certify to the returning officer the person or persons elected by the registered medical practitioners resident in the part of the United Kingdom to which such branch council belongs.

(6.) A direct representative elected in place of any such representative retiring on the expiration of the period for which he was elected shall come into office at the expiration of that period, and a direct representative elected to fill a vacancy caused by the death or resignation of any such representative shall come into office on the day on which he is certified by the branch council to the returning officer to have been elected.

(7.) The expenses attending the election of a direct representative shall be defrayed as part of the expenses of the branch council for that part of the United Kingdom in which such representative is elected.

(8.) For the purpose of the first election of direct representatives the returning officer shall, in the course of such period of seven days (ending not later than the fifteenth day of November next succeeding the passing of this Act) as the Privy Council may appoint, issue his precept to the branch council in each part of the United Kingdom, requiring such branch council to cause the proper number of representatives to be elected in the part of the United Kingdom to which such branch council belongs within twenty-one days

after the receipt of the said precept; and the said representatives shall come into office on the first day of January one thousand eight hundred and eighty-seven.

9. *Election of president of General Council.*] The General Council from time to time, on the occurrence of a vacancy in the office of president of the General Council, shall elect one of their number to be president for a term not exceeding five years, and not extending beyond the expiration of the term for which he has been made a member of the said Council, but nothing in this Act shall affect the duration of the term of office of the person who at the time of the passing of this Act is president of the General Council.

10. *Revision of constitution of General Council.*] (1.) The General Council may at any time represent to the Privy Council all or any of the following matters:—

- (a.) That it is expedient to confer on any university or other body in the United Kingdom capable of granting a medical diploma, not being one of the constituent bodies for the time being of the General Council, and being, in the opinion of the General Council, of sufficient importance to be worthy of such a privilege, the power of returning a member to the General Council, either separately or collectively with any other body or bodies in the same part of the United Kingdom capable of granting a medical diploma;
 - (b.) That it is expedient to confer on any constituent body for the time being returning a member to the General Council collectively with any other body or bodies, and being, in the opinion of the General Council, of sufficient importance to be worthy of such a privilege, the power of returning a member to such council separately;
 - (c.) That it is expedient to confer on the registered medical practitioners resident in any part of the United Kingdom the power of returning an additional member to the General Council;
 - (d.) That it is expedient that any constituent body having, in the opinion of the General Council, so diminished in importance as not to be entitled to such privilege, should either be wholly deprived of the power of returning a member to the General Council, or be deprived of the power of returning a member separately, and permitted to return a member collectively with some other body or bodies.
- (2.) The Privy Council, before considering such representation, shall cause the same to be laid before both Houses of Parliament.
- (3.) If either House of Parliament, within forty days (exclusive of any period of adjournment for more than one week) next after any such representation has been laid before such House, present an address to Her Majesty declaring that such representation or any part thereof ought not to be carried into effect, no further proceedings shall be taken in respect of the representation in regard to which such address has been presented, but if no such address is presented by either House of Parliament within such forty days as aforesaid, the Privy Council may, if they think fit, report to Her Majesty that it is expedient to give effect to such representation, and it shall be lawful for Her Majesty by Order in Council to give effect to the same, and any Order in Council so made shall be of the same validity as if it had been enacted in this Act.

PART II.

COLONIAL AND FOREIGN PRACTITIONERS.

11. *Registration of colonial practitioner with recognised diploma.*] On and after the prescribed day where a person shows to the satisfaction of the registrar of the General Council that he holds some recognised colonial medical diploma or diplomas (as herein-after defined) granted to him in a British possession to which this Act applies, and that he is of good character, and that he is by law entitled to practise medicine, surgery, and midwifery in such British possession, he shall, on application to the said registrar, and on payment of such fee not exceeding five pounds as the General Council may from time to time deter-

mine, be entitled, without examination in the United Kingdom, to be registered as a colonial practitioner in the medical register;

Provided that he proves to the satisfaction of the registrar any of the following circumstances:—

- (1.) That the said diploma or diplomas was or were granted to him at a time when he was not domiciled in the United Kingdom, or in the course of a period of not less than five years during the whole of which he resided out of the United Kingdom; or
- (2.) That he was practising medicine or surgery or a branch of medicine or surgery in the United Kingdom on the said prescribed day, and that he has continuously practised the same either in the United Kingdom or elsewhere for a period of not less than ten years immediately preceding the said prescribed day.

12. *Registration of foreign practitioner with recognised diploma.*] On and after the said prescribed day where a person shows to the satisfaction of the registrar of the General Council that he holds some recognised foreign medical diploma or diplomas (as herein-after defined) granted in a foreign country to which this Act applies, and that he is of good character, and that he is by law entitled to practise medicine, surgery, and midwifery in such foreign country, he shall, on application to the said registrar, and on payment of such fee not exceeding five pounds as the General Council may from time to time determine, be entitled, without examination in the United Kingdom, to be registered as a foreign practitioner in the medical register;

Provided that he proves to the satisfaction of the registrar any of the following circumstances:—

- (1.) That he is not a British subject; or
- (2.) That, being a British subject, the said diploma or diplomas was or were granted to him at a time when he was not domiciled in the United Kingdom, or in the course of a period of not less than five years during the whole of which he resided out of the United Kingdom; or
- (3.) That, being a British subject, he was practising medicine or surgery, or a branch of medicine or surgery, in the United Kingdom on the said prescribed day, and that he has continuously practised the same in the United Kingdom or elsewhere for a period of not less than ten years immediately preceding the said prescribed day.

13. *Medical diploma of colonial and foreign practitioner when deemed to be recognised.*] (1.) The medical diploma or diplomas granted in a British possession or foreign country to which this Act applies, which is or are to be deemed such recognised colonial or foreign medical diploma or diplomas as is or are required for the purposes of this Act, shall be such medical diploma or diplomas as may be recognised for the time being by the General Council as furnishing a sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of medicine, surgery, and midwifery.

(2.) Where the General Council have refused to recognise as aforesaid any colonial or foreign medical diploma, the Privy Council, on application being made to them, may, if they think fit, after considering such application, and after communication with the General Council, order the General Council to recognise the said diploma, and such order shall be duly obeyed.

(3.) If a person is refused registration as a colonial or foreign practitioner on any other ground than that the medical diploma or diplomas held by such person is or are not such recognised medical diploma or diplomas as above defined, the registrar of the General Council shall, if required, state in writing the reason for such refusal, and the person so refused registration may appeal to the Privy Council, and the Privy Council, after communication with the General Council, may dismiss the appeal or may order the General Council to enter the name of the appellant on the register.

(4.) A person may, if so entitled under this Act, be registered both as a colonial and a foreign practitioner.

14. *Separate list of colonial and foreign practitioners in medical register.*] The medical register shall con-

tain a separate list of the names and addresses of the colonial practitioners, and also a separate list of the names and addresses of the foreign practitioners registered under this Act; each list shall be made out alphabetically according to the surnames; and the provisions of the Medical Act, 1858, relating to persons registered under that Act, and relating to the medical register and to offences in respect thereof, shall, so far as may be, apply in the case of colonial and foreign practitioners registered under this Act and of the said lists of those practitioners, in the same way as such provisions apply in the case of persons registered under the said Medical Act, 1858, and of the register as kept under that Act.

15. *Medical titles of colonial and foreign practitioners.*] On and after the appointed day it shall be lawful for any registered medical practitioner who being on the list of colonial or foreign practitioners is on that day in possession of or thereafter obtains any recognised colonial or foreign medical diploma granted in a British possession or foreign country to which this Act applies to cause a description of such diploma to be added to his name in the medical register.

16. *Registration of foreign degrees held by registered medical practitioners.*] On and after the appointed day it shall be lawful for any registered medical practitioner who, being on the medical register by virtue of English, Scotch, or Irish qualifications, is in possession of a foreign degree in medicine, to cause a description of such foreign medical degree to be added to his name as an additional title in the medical register, provided he shall satisfy the General Council that he obtained such degree after proper examination and prior to the passing of this Act.

17. *Power of Her Majesty in Council to define colonies and foreign countries to which this part of the Act applies.*] (1.) Her Majesty may from time to time by Order in Council declare that this part of this Act shall be deemed on and after a day to be named in such Order to apply to any British possession or foreign country which in the opinion of Her Majesty affords to the registered medical practitioners of the United Kingdom such privileges of practising in the said British possession or foreign country as to Her Majesty may seem just; and from and after the day named in such Order in Council such British possession or foreign country shall be deemed to be a British possession or foreign country to which this Act applies within the meaning of this part thereof; but until such Order in Council has been made in respect of any British possession or foreign country, this part of this Act shall not be deemed to apply to any such possession or country; and the expression "the prescribed day" as used in this part of this Act means, as respects any British possession or foreign country, the day on and after which this part of this Act is declared by Order in Council to apply to such British possession or foreign country.

(2.) Her Majesty may from time to time by Order in Council revoke and renew any Order made in pursuance of this section; and on the revocation of such Order as respects any British possession or foreign country, such possession or foreign country shall cease to be a possession or country to which this part of this Act applies, without prejudice nevertheless to the right of any persons whose names have been already entered on the register.

18. *Amendment of 21 & 22 Vict. c. 90, s. 36, as to medical officers in ships.*] Nothing in the Medical Act, 1858, shall prevent a person holding a medical diploma entitling him to practise medicine or surgery in a British possession to which this Act applies from holding an appointment as a medical officer in any vessel registered in that possession.

PART III.

MISCELLANEOUS PROVISIONS.

19. *Default in General Council.*] If at any time it appears to the Privy Council that the General Council has failed to secure the maintenance of a sufficient standard of proficiency at any qualifying examinations, or that occasion has arisen for the General Council to appoint assistant examiners under this Act or the purpose of examinations held by any medical corporation, or to exercise any power or perform any duty or do any act or thing vested

in or imposed on or authorised to be done by the General Council under the Medical Acts or this Act, the Privy Council may notify their opinion to the General Council; and if the General Council fail to comply with any directions of the Privy Council relating to such notification, the Privy Council may themselves give effect to such directions, and for that purpose may exercise any power or do any act or thing vested in or authorised to be done by the General Council, and may of their own motion do any act or thing which, under the Medical Acts or this Act, they are authorised to do in pursuance of a representation or suggestion from the General Council.

20. *Addition to qualifications under 21 & 22 Vict. c. 90.* The diploma of member of the King's and Queen's College of Physicians in Ireland, and the degree of Master of Obstetrics of any university in the United Kingdom, shall be deemed to be added to the qualifications described in Schedule A. to the Medical Acts, 1858.

21. *Registration of diploma in sanitary science.* Every registered medical practitioner to whom a diploma for proficiency in sanitary science, public health, or state medicine, has after special examination been granted by any college or faculty of physicians or surgeons or university in the United Kingdom, or by any such bodies acting in combination, shall, if such diploma appears to the Privy Council or to the General Council to deserve recognition in the medical register, be entitled, on payment of such fee as the General Council may appoint, to have such diploma entered in the said register, in addition to any other diploma or diplomas in respect of which he is registered.

22. *Exercise of powers of Privy Council.* (1.) All powers vested in the Privy Council by the Medical Acts or this Act may be exercised by any two or more of the Lords and others of Her Majesty's most honourable Privy Council.

(2.) Any act of the Privy Council under the Medical Acts or this Act shall be sufficiently signified by an instrument signed by the Clerk of the Council, and every order and act signified by an instrument purporting to be signed by the Clerk of the Council shall be deemed to have been duly made and done by the Privy Council, and every instrument so signed shall be received in evidence in all courts and proceedings without proof of the authority or signature of the Clerk of the Council, or other proof.

23. *Evidence of orders.* The following copies of any orders made in pursuance of the Medical Acts or this Act, or the Dentists Act, 1878, shall be evidence; that is to say,—

(1.) Any copy purporting to be printed by the Queen's printer, or by any other printer in pursuance of an authority given by the General Council;

(2.) Any copy of an order certified to be a true copy by the registrar of the General Council, or by any other person appointed by the General Council either in addition to or in exclusion of the registrar to certify such orders.

Saving Clauses.

24. *Saving as to practice of existing practitioners.* This Act shall not increase or diminish the privileges in respect of his practice of any person who, on the day preceding the appointed day, is a registered medical practitioner, and such persons shall be entitled on and after the said appointed day to practise, in pursuance of the qualification possessed by him before the said appointed day, in medicine, surgery, and midwifery, or any of them, or any branch of medicine or surgery, according as he was entitled to practise the same before the said appointed day, but not further or otherwise.

25. *Saving as to local law.* Any person who at the time of the repeal of any enactment repealed by this Act was, in pursuance of such enactment, legally entitled to practise as a medical practitioner in any colony or part of Her Majesty's dominions other than the United Kingdom, shall after the date of such repeal continue to be so entitled if he would have been entitled if no such repeal had taken place.

Dentists.

26. *Provisions as to 41 & 42 Vict. c. 33.* It is hereby declared that the words "title, addition, or description," where used in the Dentists Act,

1878, include any title, addition to a name, designation, or description, whether expressed in words or by letters, or partly in one way and partly in the other.

There shall be repealed so much of section four of the Dentists Act, 1878, as provides that a prosecution for any of the offences above in that Act mentioned shall not be instituted by a private person, except with the consent of the General Council or of a branch council, and a prosecution for any such offences may be instituted by a private person accordingly.

Notwithstanding anything in section five of the Dentists Act, 1878, the rights of any person registered under the Dentists Act, 1878, to practise dentistry or dental surgery in any part of Her Majesty's dominions other than the United Kingdom shall be subject to any local law in force in that part.

It shall be lawful for Her Majesty at any time after the said appointed day to declare by Order in Council that section twenty-eight of the said Dentists Act, 1878, shall be in force on and after a day to be named in such Order, but in the meantime and until such Order has been made, and before such day as last aforesaid, such section shall not be deemed to be in force.

Save as in this Act mentioned the Dentists Act, 1878, shall not be affected by this Act.

Definitions.

27. *Definitions.* In this Act, unless the context otherwise requires,—

The expression "part of the United Kingdom" means, according to circumstances, England, Scotland, or Ireland;

The expression "British possession" means any part of Her Majesty's dominions exclusive of the United Kingdom, but inclusive of the Isle of Man and the Channel Islands; and where parts of such dominions are under both a central and a local legislature, all parts under one central legislature are for the purposes of this definition deemed to be one British possession;

The expression "local law" means an Act or Ordinance passed by the legislature of a British possession;

The expression "the appointed day" means the first of June one thousand eight hundred and eighty-seven, or such other day in June one thousand eight hundred and eighty-seven as may be appointed by the Privy Council;

The expression "medical corporation" means any body in the United Kingdom, other than a university, for the time being competent to grant a diploma or diplomas conferring on the holder thereof, if he has passed a qualifying examination, the right of registration under the Medical Acts;

The expression "registered medical practitioner" means any person for the time being registered under the Medical Acts;

The word "diploma" means any diploma, degree, fellowship, membership, licence, authority to practise, letters testimonial, certificate, or other status or document granted by any university, corporation, college, or other body, or by any departments of or persons acting under the authority of the government of any country or place within or without Her Majesty's dominions;

The expression "medical diploma" means a diploma granted in respect of medicine, surgery, and midwifery, or any of them, or any branch of medicine or surgery;

The word "person" includes a body of persons, corporate or not corporate;

The expression "the Medical Acts" means the Medical Act, 1858, and any Acts amending the same, passed before the passing of this Act.

Repeal.

28. *Repeal of enactments in schedule.* The Acts mentioned in the first part of the schedule to that Act are hereby repealed to the extent mentioned in the third column of the said part; and the Acts mentioned in the second part of the said schedule shall be repealed on and after the appointed day to the extent mentioned in the third column of the said last-mentioned part; provided that the repeal enacted by this section shall not affect anything done or suffered, or any right or title acquired or accrued,

before such repeal takes effect, or any remedy, penalty, or proceeding in respect thereof.

THE SCHEDULE.

FIRST PART.

| Session and Chapter. | Title or Short Title of Act. | Extent of Repeal. |
|----------------------|---|--|
| 21 & 22 Vict. c. 90. | The Medical Act, 1858. | Sections four and five. Section twenty-four. |
| 46 & 47 Vict. c. 19. | The Medical Act (1858) Amendment Act, 1883. | The whole Act. |
| SECOND PART. | | |
| 21 & 22 Vict. c. 90. | The Medical Act, 1858. | Section thirty-one. |
| 31 & 32 Vict. c. 29. | The Medical Act Amendment Act, 1868. | The whole Act. |

CAP. XLIX.

An Act to empower the Admiralty to form a Harbour of Refuge at Peterhead, in the county of Aberdeen, and to execute and maintain breakwater piers and other works and conveniences in connection therewith; and for other purposes. [25th June 1886.]

CAP. L.

An Act to Amend the Law relating to the Terms of Removal from Houses in Scotland. [25th June 1886.]

CAP. LI.

An Act to make provision for the borrowing of Money by Parochial Boards, and for other purposes relating to the Relief of the Poor in Scotland. [25th June 1886.]

CAP. LII.

An Act to amend the Law relating to the Maintenance of Married Women who shall have been deserted by their Husbands. [25th June 1886.]

Whereas it is desirable to amend the law relating to the maintenance of married women who shall have been deserted by their husbands:

Be it therefore enacted, &c.

1. *Wife may summon husband for desertion—Alimony—Custody of Children.* From and after the passing of this Act it shall be lawful for any married woman, who shall have been deserted by her husband, to summon her husband before any two justices in petty sessions or any stipendiary magistrate, and thereupon such justices or magistrate, if satisfied that the husband, being able wholly or in part to maintain his wife or his wife and family, has wilfully refused or neglected so to do, and has deserted his wife, may order:

(1.) That the husband shall pay to his wife such weekly sum not exceeding two pounds as the justices or magistrate may consider to be in accordance with his means and with any means the wife may have for her support and the support of her family, and the payment of any sum so ordered shall be enforceable and enforced against the husband in the same manner as the payment of money is enforced under an order of affiliation; and the said justices or magistrate by whom any such order for payment shall be made, or other justices or magistrate sitting in their or his stead, shall have power from time to time to vary the same, on the application of either the husband or wife, upon proof that the means of the husband or wife have been altered in amount since the original order, or any subsequent order varying it, shall have been made.

(2.) Provided always, that no order for payment

of any such sum by the husband shall be made in favour of a wife who shall be proved to have committed adultery, unless such adultery has been condoned, and that any order for payment of any such sum may be discharged by the justices or magistrate by whom such order was made, or other justices or magistrate sitting in their or his stead, upon proof that the wife has since the making thereof been guilty of adultery.

2. *Summons, how granted.*] A summons under this Act shall be applied for and granted and served in the same manner as summonses are now applied for, granted, and served in cases of assault, or in such other manner as the said justices or magistrate shall direct. Provided always, that in such case the said justices or magistrate, or other justices or magistrate sitting in his or their stead, may re-hear any such summons at the instance of the husband at any time, and confirm, discharge, or vary any previous order thereon as they or he may think just.

3. *Short Title.*] This Act may be cited as the Married Women (Maintenance in case of Desertion) Act, 1886.

4. *Extent of Act.*] This Act shall not extend to Scotland.

CAP. LIII.

An Act to amend the Law relating to Sea Fishing Boats in Scotland. [25th June 1886.]

CAP. LIV.

An Act to amend the Tithe Commutation Acts as to Extraordinary Tithe Rentcharge on hop grounds, orchards, fruit plantations, and market gardens, and to provide for fixing the capital value thereof and the redemption of the same. [25th June 1886.]

Whereas by the Acts relating to the commutation of tithes in England and Wales power is given to impose an extraordinary charge and an additional rentcharge by way of extraordinary charge (both which charges are hereinafter included under the expression "extraordinary charge") on hop grounds, orchards, fruit plantations, and market gardens:

And whereas the extraordinary charge levied under these Acts is an impediment to agriculture, and it is expedient that the same be limited in manner hereinafter appearing, and that power be given to redeem the same in the manner and upon the terms hereinafter mentioned:

Be it therefore enacted, &c:

1. *Limitation of extraordinary charge.*] From the date of the passing of this Act no extraordinary charge shall be charged or levied under the Tithe Commutation Acts on any hop ground, orchard, fruit plantation, or market garden, newly cultivated as such after the passing of this Act.

2. *Fixing of capital value of extraordinary charge.*] The Land Commissioners for England, hereinafter referred to as "the Commissioners," shall as soon as may be after the passing of this Act ascertain in each parish in England and Wales and certify the capital value of the extraordinary charge on each farm, or where not a farm on each parcel of land, in respect of which the said charge is payable at the date of the passing of this Act.

3. *Manner in which capital value is to be ascertained.*] For the purpose of estimating the capital value of the said charge the Commissioners shall take into consideration the net annual value of the same after allowing for the expenses of collection, rates, taxes (except income tax), and other outgoings, the value of the land subject to the said charge, the length of time during which the said charge has been paid, the prospect of the continuance or discontinuance of the special cultivation in respect of which the said charge is imposed, the right of the cultivator to discontinue such special cultivation at any time and thereby to cause the suspension of the said charge, the prospect of the substitution of other land on the same farm for such cultivation, notwithstanding the provisions of the first section of this Act, and any other special circumstances applicable to the farm or parcel of land under consideration, and shall, if so advised or requested, hear evidence on behalf of the landowner, the tithe payer, and the tithe owner. The Commissioners

shall then determine and certify under their seal the capital value of the said charge, and the value so certified shall, for the purposes of this Act, be the capital value of the charge: Provided that where the tithe owner is absolutely entitled to the charge in fee simple in possession, or is empowered to dispose thereof absolutely, or to give an absolute discharge for the capital value thereof, the Commissioners may, on the joint application of the tithe owner, the tithe payer, and the landowner, or of the tithe owner and the landowner in cases where the last named is also the tithe payer, certify such amount as may be agreed on between them to be the capital value of the charge included in such application.

4. *Interest on capitalised value of extraordinary charge to be until redemption first charge on land.*] (1.) Subject to the provisions of this Act with respect to the redemption of charges, land in respect of which at the date of the passing of this Act extraordinary charge is payable shall, so soon as the capital value of the said charge shall have been certified under the provisions of this Act, be charged with the payment of an annual rentcharge equal to four per centum on such capital value, in lieu of the extraordinary charge which shall cease on the half-yearly day of payment thereof which shall immediately precede the date of the said certificate, such rentcharge to be a charge upon the particular farm or parcel of land in respect of which the same has been assessed.

(2.) Provided that the Commissioners may from time to time, if they think fit, on application by or on behalf of any person interested in land so charged, by order under their seal exonerate from the charge the whole or any part of that land, and may, if necessary, substitute other land for the land so exonerated, provided that the value of the land charged with the payment of the rentcharge shall be in their opinion equal to at least three times the capital value of the rentcharge and that such land is held under the same title, and subject to the same limitations as the land so exonerated.

(3.) The rentcharge shall be payable half-yearly on the days on which the extraordinary charge in the parish has hitherto been payable, and the first payment thereof shall be made on one of the said two days which shall first occur after the capital value shall have been certified as aforesaid, the first payment to be a full half-yearly payment. The rentcharge shall have priority over all existing and future estates, interests, and incumbrances whatever.

(4.) The rentcharge shall be payable to the person who would but for this Act have been for the time being entitled to receive the extraordinary charge, and shall be held on the trusts and subject to the provisions and conditions (if any) applicable to that charge.

(5.) If default is made in payment of any instalment of the rentcharge it may be recovered by action in Her Majesty's High Court of Justice, or a county court, or in the same way that rentcharge in lieu of ordinary tithe is recoverable and subject to like conditions, or by entry upon and perception of the rents and profits of the land subject to such rentcharge. The said rentcharge shall not be subject to any parochial, county, or other rate, charge, or assessment.

5. *Redemption of charge.*] (1.) The owner or any person interested in any land subject either to an extraordinary charge or to a rentcharge substituted therefor under this Act may at any time redeem the charge in manner by this section provided.

(2.) Where the person entitled to the charge is the incumbent of a benefice, the owner or any person interested in the land may pay the amount of the capital value of the extraordinary charge to the Governors of Queen Anne's Bounty (the receipt of whose treasurer shall be a sufficient discharge for the same), to be held or applied for the benefit of the incumbent for the time being, as if the same were money paid in redemption of ordinary rentcharge.

(3.) Where the person entitled to the charge is absolutely entitled thereto in fee simple in possession, or is empowered to dispose thereof absolutely, or to give an absolute discharge for the capital value thereof, the owner or any person interested in the land may, after giving one month's notice to the person entitled to the charge, pay or tender to him the amount of the capital

value of the extraordinary charge or any less sum which may be agreed on.

(4.) In any other case the owner of or any person interested in the land may pay the amount of the capital value of the extraordinary charge into the Bank of England, to be placed to the account of the Paymaster-General, in the matter of the landowner and the tithe owner (naming them), and in the matter of this Act; and the money so paid shall be applicable to the like purposes and may be dealt with in like manner as if it were money paid into the bank under the Tithe Commutation Acts.

(5.) On proof to the Commissioners that payment or tender has been made as by this section provided in respect of any extraordinary charge or substituted rentcharge, they shall certify that the charge is redeemed, and that certificate shall be final and conclusive, and the land shall be thereby absolutely freed and discharged from the charge from the date of the next half-yearly payment.

6. *Redemption in case of settled land.*] (1.) Money applicable to the purchase of land to be settled to or on any uses or trusts shall be applicable in or towards the redemption of an extraordinary charge or a rentcharge under this Act on land settled to or on the like uses or trusts.

(2.) Where a person is tenant for life of land subject to an extraordinary charge or a rentcharge under this Act he may borrow any money required for redemption thereof, and may charge the inheritance with repayment of the money so borrowed with interest, and the charge so created shall have the like priority as a rentcharge under this Act.

(3.) Where a person is tenant for life of land subject to an extraordinary charge or rentcharge under this Act he may sell the land, or any part thereof, or any land settled to or on the like uses or trusts, and apply the proceeds in or towards redemption of the charge.

7. *Charge to be borne by landlord.*] (1.) Where a tenant of land subject to an extraordinary charge has before the passing of this Act contracted to pay the charge or any part thereof he shall whilst his tenancy subsists be liable to pay to his landlord the rentcharge substituted for the extraordinary charge; and any sum which a tenant is to be liable to pay may be recovered by the landlord as the tenant's rent is for the time being recoverable.

(2.) For the purposes of this section a tenancy from year to year or a tenancy at will shall be deemed to determine at the time when it would by law become determinable if notice or warning to determine the same were given at the date of the passing of this Act.

(3.) Subject as aforesaid a rentcharge under this Act shall as between landlord and tenant be payable by the landlord, any agreement to the contrary notwithstanding.

8. *Land Commissioners may call for information from overseers.*] The Commissioners in carrying out the provisions of this Act may require the overseers of any parish to supply such information as to the extraordinary charge (if any) in such parish as they, the said Commissioners, may consider necessary.

9. *Provisions of Tithe Acts to apply.*] All the provisions of the Tithe Commutation Acts in relation to any award or apportionment, including power for the Commissioners to hold meetings either by an Assistant Commissioner or otherwise, and to require and hear evidence and to employ valuers and other persons, shall be applicable to proceedings under this Act.

10. *Expenses.*] All expenses incurred by the Commissioners in carrying out the provisions of this Act shall be paid by the landowners, in rateable proportion to the sum certified as the capital value on their respective lands, and shall be recoverable in like manner as the expenses of and relating to an apportionment under the Tithe Commutation Acts.

11. *Filing of certificates of Commissioners.*] (1.) Every certificate made by the Commissioners under this Act shall be filed in their office.

(2.) An office copy of any certificate so filed shall be delivered out of their office to any person requiring the same on payment of the proper fee, and shall be sufficient evidence of the certificate whereof it purports to be a copy.

12. *Power of Queen Anne's Bounty to make mortgage of the principal and interest of any such sum.* The said Queen Anne's Bounty may make mortgage of the principal and interest of any such sum in or towards the redemption of an extraordinary charge or a rentcharge under this Act on land settled to or on the like uses or trusts.

13. *Power of another of Parliament on the ordinary district.* The said Queen Anne's Bounty may make mortgage of the principal and interest of any such sum in or towards the redemption of an extraordinary charge or a rentcharge under this Act on land settled to or on the like uses or trusts.

14. *Deeds.* The said Queen Anne's Bounty may make mortgage of the principal and interest of any such sum in or towards the redemption of an extraordinary charge or a rentcharge under this Act on land settled to or on the like uses or trusts.

15. *Statute.* The said Queen Anne's Bounty may make mortgage of the principal and interest of any such sum in or towards the redemption of an extraordinary charge or a rentcharge under this Act on land settled to or on the like uses or trusts.

An Act to amend the Law relating to Sea Fishing Boats in Scotland.

Whereas by the Acts relating to the commutation of tithes in England and Wales power is given to impose an extraordinary charge and an additional rentcharge by way of extraordinary charge (both which charges are hereinafter included under the expression "extraordinary charge") on hop grounds, orchards, fruit plantations, and market gardens:

And whereas the extraordinary charge levied under these Acts is an impediment to agriculture, and it is expedient that the same be limited in manner hereinafter appearing, and that power be given to redeem the same in the manner and upon the terms hereinafter mentioned:

Be it therefore enacted, &c:

1. *Limitation of extraordinary charge.*] From the date of the passing of this Act no extraordinary charge shall be charged or levied under the Tithe Commutation Acts on any hop ground, orchard, fruit plantation, or market garden, newly cultivated as such after the passing of this Act.

2. *Fixing of capital value of extraordinary charge.*] The Land Commissioners for England, hereinafter referred to as "the Commissioners," shall as soon as may be after the passing of this Act ascertain in each parish in England and Wales and certify the capital value of the extraordinary charge on each farm, or where not a farm on each parcel of land, in respect of which the said charge is payable at the date of the passing of this Act.

3. *Manner in which capital value is to be ascertained.*] For the purpose of estimating the capital value of the said charge the Commissioners shall take into consideration the net annual value of the same after allowing for the expenses of collection, rates, taxes (except income tax), and other outgoings, the value of the land subject to the said charge, the length of time during which the said charge has been paid, the prospect of the continuance or discontinuance of the special cultivation in respect of which the said charge is imposed, the right of the cultivator to discontinue such special cultivation at any time and thereby to cause the suspension of the said charge, the prospect of the substitution of other land on the same farm for such cultivation, notwithstanding the provisions of the first section of this Act, and any other special circumstances applicable to the farm or parcel of land under consideration, and shall, if so advised or requested, hear evidence on behalf of the landowner, the tithe payer, and the tithe owner. The Commissioners

shall then determine and certify under their seal the capital value of the said charge, and the value so certified shall, for the purposes of this Act, be the capital value of the charge: Provided that where the tithe owner is absolutely entitled to the charge in fee simple in possession, or is empowered to dispose thereof absolutely, or to give an absolute discharge for the capital value thereof, the Commissioners may, on the joint application of the tithe owner, the tithe payer, and the landowner, or of the tithe owner and the landowner in cases where the last named is also the tithe payer, certify such amount as may be agreed on between them to be the capital value of the charge included in such application.

4. *Interest on capitalised value of extraordinary charge to be until redemption first charge on land.*] (1.) Subject to the provisions of this Act with respect to the redemption of charges, land in respect of which at the date of the passing of this Act extraordinary charge is payable shall, so soon as the capital value of the said charge shall have been certified under the provisions of this Act, be charged with the payment of an annual rentcharge equal to four per centum on such capital value, in lieu of the extraordinary charge which shall cease on the half-yearly day of payment thereof which shall immediately precede the date of the said certificate, such rentcharge to be a charge upon the particular farm or parcel of land in respect of which the same has been assessed.

(2.) Provided that the Commissioners may from time to time, if they think fit, on application by or on behalf of any person interested in land so charged, by order under their seal exonerate from the charge the whole or any part of that land, and may, if necessary, substitute other land for the land so exonerated, provided that the value of the land charged with the payment of the rentcharge shall be in their opinion equal to at least three times the capital value of the rentcharge and that such land is held under the same title, and subject to the same limitations as the land so exonerated.

(3.) The rentcharge shall be payable half-yearly on the days on which the extraordinary charge in the parish has hitherto been payable, and the first payment thereof shall be made on one of the said two days which shall first occur after the capital value shall have been certified as aforesaid, the first payment to be a full half-yearly payment. The rentcharge shall have priority over all existing and future estates, interests, and incumbrances whatever.

(4.) The rentcharge shall be payable to the person who would but for this Act have been for the time being entitled to receive the extraordinary charge, and shall be held on the trusts and subject to the provisions and conditions (if any) applicable to that charge.

(5.) If default is made in payment of any instalment of the rentcharge it may be recovered by action in Her Majesty's High Court of Justice, or a county court, or in the same way that rentcharge in lieu of ordinary tithe is recoverable and subject to like conditions, or by entry upon and perception of the rents and profits of the land subject to such rentcharge. The said rentcharge shall not be subject to any parochial, county, or other rate, charge, or assessment.

12. *Power to Queen Anne's Bounty to modify mortgages.* When it shall appear to the Governors of Queen Anne's Bounty that the income of any benefice on which a mortgage to the said Governors exists has been diminished by the operation of this Act, it shall be lawful for the said Governors, by resolution of their board on the application of the incumbent, with the consent of the patron, to make such modification in the conditions of such mortgage or the term fixed for the repayment of the principal secured thereby as may seem to them just and reasonable.

The date of any such resolution, the term of extension, and the altered rate of payments or of instalments, shall be endorsed on the respective mortgage deeds free of charge to the incumbent.

The application of the provisions of this Act shall not in any way invalidate the instruments of security under which loans have been granted by the Governors; the said provisions shall extend and apply to such instruments as if originally, fully, and expressly inserted therein.

13. *Power to adjust charges on one benefice in favour of another.* Whereas under the provisions of Acts of Parliament certain fixed charges have been made on the income of benefices in receipt of extraordinary tithes in favour of other benefices or of district churches or chapelries situated within the limits of parishes of which the incumbents are in receipt of extraordinary tithes: Be it enacted that after the passing of this Act the Ecclesiastical Commissioners may make such alterations in the charges aforesaid, having in view the altered state of things created by this Act, as the said Commissioners may deem most equitable.

14. *Definitions.* For the purposes of this Act—

"Landowner" means the person for the time being receiving the rackrent of land, whether on his own account or as trustee for any other person, or who would so receive it if the land were let at a rackrent:

"Tithe payer" means the person for the time being paying an extraordinary charge under the Tithe Commutation Acts:

"Tithe owner" means the person for the time being receiving an extraordinary charge under the Tithe Commutation Acts, whether on his own account or as trustee for any other person, and includes any person so receiving a rentcharge substituted under this Act for an extraordinary charge:

"Person" includes a body of persons corporate or unincorporate.

15. *Short title.* This Act may be cited as the Extraordinary Tithe Redemption Act, 1886.

CAP. LV.

An Act to limit the Hours of Labour of Children and Young Persons in Shops.

[25th June, 1886.]

Whereas the health of many young persons employed in shops and warehouses is seriously injured by reason of the length of the period of employment:

Be it therefore enacted, &c.:

1. *Short title.* This Act may be cited as the Shop Hours Regulation Act, 1886.

2. *Commencement of Act.* This Act shall come into operation on the first day of November one thousand eight hundred and eighty-six, and shall continue in force until the thirty-first day of December one thousand eight hundred and eighty-eight, and the end of the then next session of Parliament, and no longer.

3. *Hours of employment in shops.* (1.) A young person shall not be employed in or about a shop for a longer period than seventy-four hours, including meal times, in any one week:

(2.) A young person shall not to the knowledge of his employer be employed in a shop who has been previously on the same day employed in any

factory or workshop, as defined by the Factory and Workshop Act, 1878, for the number of hours permitted by the said Act or for a longer period than will complete such number of hours.

4. *Notices of hours to be given.* In every shop in which young persons are employed a notice shall be kept exhibited by the employer in a conspicuous place referring to the provisions of this Act and stating the number of hours in the week in which young persons may lawfully be employed therein.

5. *Fine for employing persons contrary to the Act.* Where any young person is employed in or about a shop contrary to the provisions of this Act, the employer shall be liable to a fine not exceeding one pound for each person so employed.

6. *Power of occupier to exempt himself from fine on conviction of actual offender.* Where the employer of a young person, as defined in this Act, is charged with an offence against this Act, he shall be entitled upon information duly laid before him to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge; and if, after the commission of the offence has been proved, the said employer proves to the satisfaction of the court that he has used due diligence to enforce the execution of the Act, and that the said other person has committed the offence in question without his knowledge, consent, or connivance, the said other person shall be summarily convicted of such offence, and the occupier shall be exempt from any fine.

7. *Summary proceedings.* All offences under this Act shall be prosecuted, and all fines under this Act shall be recovered, in like manner as offences and fines are prosecuted and recovered under the Factory and Workshop Act, 1878, and sections eighty-eight, eighty-nine, ninety, and ninety-one of the said Act, and so much of section ninety-two thereof as relates to evidence respecting the age of any person, and the provisions relating to the application of the said Act to Scotland and Ireland, so far as those provisions are applicable, shall have effect as if re-enacted in this Act and in terms made applicable thereto.

8. *Interpretation.* In this Act, unless the context otherwise requires—

"Shop" means retail and wholesale shops, markets, stalls, and warehouses in which assistants are employed for hire, and includes licensed public-houses and refreshment houses of any kind.

"Young person" means a person under the age of eighteen years.

Other words and expressions have the same meanings respectively as in the Factory and Workshop Act, 1878.

9. *Exemption of members of the same family.* Nothing in this Act shall apply to shops where the only persons employed are at home, that is to say, are members of the same family dwelling there, or to members of the employer's family dwelling in a house to which the shop is attached.

CAP. LVI.

An Act for the Protection of Children against the Sale to them of Intoxicating Liquors.

[25th June, 1886.]

Whereas it is expedient to protect young children against the immoral consequences resulting from their being permitted to purchase intoxicating liquors for their own consumption:

Be it therefore enacted, &c.:

1. *Sale of liquors to children to be illegal.* Every holder of a licence who knowingly sells, or allows any person to sell, any description of intoxicating liquors to any person under the age of thirteen years for consumption on the premises by any person under such age as aforesaid, shall be liable to a penalty not exceeding twenty

shillings for the first offence, and not exceeding forty shillings for the second and any subsequent offence.

2. *Legal proceedings to follow the Licensing Acts, 1872-1874.* For the purposes of all legal proceedings required to be taken under the foregoing section, this Act shall be construed as one Act with the Licensing Act, 1872-1874.

3. *Extent of Act.* This Act shall not extend to Scotland.

4. *Short title.* This Act may be cited for all purposes as the Intoxicating Liquors (Sale to Children) Act, 1886.

5. *Commencement of Act.* This Act shall come into operation on the thirty-first day of July one thousand eight hundred and eighty-six.

CAP. LVII.

An Act to amend the provisions of the Parliamentary Elections (Returning Officers) Act, 1875.

[25th June 1886.]

Be it enacted, &c.:

1. *Review of taxation.* The judge or officer by whom any account or claim is taxed or examined under the Parliamentary Elections (Returning Officers) Act, 1875 (herein called the "principal Act"), shall deliver to the returning officer, and to the other party to the taxation or examination, a certificate showing the items and amounts allowed or disallowed, with a copy of any order or judgment made thereon.

Either party may, within seven days of the delivery to him of such certificate, give notice in writing to the said judge or officer of intention to appeal, specifying in the notice the items and amounts in respect of which he intends to appeal.

The said judge or officer shall thereupon forthwith transmit to the prescribed taxing officer of the superior court the said account or claim, with any vouchers relating thereto, the certificate and the notice of appeal, and such taxing officer shall forthwith proceed to review the taxation or examination in the usual manner, or in such manner as may be prescribed, and shall, if required, receive evidence in relation to the matters in dispute, and may confirm or vary the certificate, and direct by whom all or any part of the costs of review are to be paid, and shall return the certificate as confirmed or varied to the said judge or officer with any such direction, and effect shall be given to a certificate as so confirmed or varied, and to any such direction, as if the same had been a judgment of the court as defined in the principal Act.

Any taxation or review of taxation under this Act shall be subject to appeal to the superior court in like manner as any ordinary taxation of costs is now subject.

In this Act "superior court" means in England the Queen's Bench Division of the High Court of Justice in England, and in Ireland the Common Pleas Division of the High Court of Justice in Ireland. "Prescribed" means prescribed by rules of the superior court in England or Ireland, as the case may be.

2. *Short title.* This Act may be cited as the Parliamentary Elections (Returning Officers) Act (1875) Amendment Act, 1886, and shall be read as one with the principal Act.

CAP. LVIII.

An Act to regulate the Expenses and to control the Charges of Returning Officers at Parliamentary Elections in Scotland.

[25th June 1886.]

CAP. LIX.

An Act to amend the Labourers (Ireland) Acts.

[25th June 1886.]

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THE PUBLIC GENERAL STATUTES, 1886.

50 VICTORIÆ.

[STATUTES OF PRACTICAL IMPORTANCE ONLY ARE SET OUT AT LENGTH.]

CAP. I.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-seven, and to appropriate the Supplies granted in this Session of Parliament.
 [25th September 1886.]

CAP. II.

An Act to repeal the enactments authorising the issue out of the Consolidated Fund of money for Secret Service within the United Kingdom.
 [25th September 1886.]

CAP. III.

An Act to amend the Submarine Telegraph Act, 1885.
 [25th September 1886.]

Whereas the delegates of the States, parties to the convention of the fourteenth day of March one thousand eight hundred and eighty-four, mentioned in the schedule to the Submarine Telegraph Act, 1885, have recommended for adoption by their respective States a declaration respecting the interpretation of such convention, and it is expedient to provide for giving effect to such declaration when adopted:

Be it therefore enacted, &c.:

1. *Short title and construction.*] This Act shall be construed as one with the Submarine Telegraph Act, 1885, and that Act and this Act may be cited

together as the Submarine Telegraph Acts, 1885 and 1886, and this Act may be cited separately as the Submarine Telegraph Act, 1886.

2. *Confirmation of declaration.*] It shall be lawful for Her Majesty in Council at any time after the passing of this Act to order that the declaration mentioned in the schedule to this Act, as set forth in that schedule, shall be of the same force, and the same shall accordingly be of the same force, as the articles of the convention set forth in the schedule to the Submarine Telegraph Act, 1885.

3. *Repeal of 48 & 49 Vict. c. 49, s. 4.*] Section four of the Submarine Telegraph Act, 1885, is hereby repealed.

SCHEDULE.

SUBMARINE TELEGRAPH DECLARATION.

Certain doubts having been raised as to the meaning of the word "wilfully" used in article two of the convention of the fourteenth of March one thousand eight hundred and eighty-four, it is understood that the provision in respect of penal responsibility contained in the said article does not apply to cases of breakage or injury caused accidentally or of necessity in the repair of a cable when all precautions have been taken to avoid such breakage or injury.

It is equally understood that article four of the convention had no other object, and is to have no other effect, than to empower the competent tribunals of each country to decide in conformity with their laws and according to the circumstances the question of the civil responsibility of the owner of a cable who in laying or repairing his own cable breaks or injures another cable, as well as the

consequences of such responsibility if it is recognised as existing.

CAP. IV.

An Act for facilitating the proceedings of the Commissioners appointed to hold a Court of Inquiry respecting Riots and Disturbances at Belfast.
 [25th September 1886.]

CAP. V.

An Act to continue various expiring Laws.
 [25th September 1886.]

Whereas the several Acts mentioned in column one of the schedule to this Act are, to the extent specified in column two of that schedule, limited to expire on the thirty-first day of December one thousand eight hundred and eighty-six:

And whereas it is expedient to provide for the continuance as in this Act mentioned of such Acts, and of the enactments amending the same:

Be it therefore enacted, &c.:

1. *Short title.*] This Act may be cited as the Expiring Laws Continuance Act, 1886.

2. *Continuance of Acts in schedule.*] The Acts mentioned in column one of the schedule to this Act, in so far as they are temporary in their duration, shall, to the extent in column two of the said schedule mentioned, be continued until the thirty-first day of December one thousand eight hundred and eighty-seven, and any unrepealed enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner.

SCHEDULE.

| 1. Original Acts. | 2. How far continued. | 3. Amending Acts. |
|--|---|--|
| 5 & 6 Will 4, c. 27 Linen, Hempen, Cotton, and other Manufactures (Ireland) (1) | The whole Act so far as it is not repealed | 3 & 4 Vict c. 91 5 & 6 Vict c. 68 7 & 8 Vict c. 47 30 & 31 Vict c. 60 |
| 3 & 4 Vict c. 89 Poor Rates, Stock in Trade, Exemption (2) | The whole Act | |
| 4 & 5 Vict c. 30 Survey of Great Britain (3) | The whole Act so far as it is not repealed | 33 Vict c. 13 47 & 48 Vict c. 43 |
| 4 & 5 Vict c. 35 Land Commissioners (4) | So much as relates to the appointment of and the period for holding office by Land Commissioners and other officers | 14 & 15 Vict c. 53 25 & 26 Vict c. 73 45 & 46 Vict c. 38, s. 48 |

| 1. Original Acts. | 2. How far continued. | 3. Amending Acts. |
|--|--|--|
| (5) 4 & 5 Vict c. 59 Application of Highway Rates to Turnpike Roads | The whole Act | — |
| (6) 10 & 11 Vict c. 98 Ecclesiastical Jurisdiction | As to provisions continued by 21 & 22 Vict c. 50 | — |
| (7) 11 & 12 Vict c. 32 County Cess (Ireland) | The whole Act | 20 & 21 Vict c. 7 |
| (8) 14 & 15 Vict c. 104 Episcopal and Capitular Estates Management | The whole Act so far as it is not repealed | 17 & 18 Vict c. 116 21 & 22 Vict c. 94 22 & 23 Vict c. 46 23 & 24 Vict c. 124 31 & 32 Vict c. 114, s. 10 |
| (9) 17 & 18 Vict c. 102 Corrupt Practices Prevention | So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883 | 26 & 27 Vict c. 29, s. 6 31 & 32 Vict c. 125 46 & 47 Vict c. 51 |
| (10) 23 & 24 Vict c. 19 Dwellings for Labouring Classes (Ireland) | The whole Act | — |
| (11) 24 & 25 Vict c. 109 Salmon Fishery (England) | As to appointment of inspectors, s. 31 | 49 & 50 Vict c. 39, s. 3 |
| (12) 26 & 27 Vict c. 105 Promissory Notes | The whole Act | 45 & 46 Vict c. 61 |
| (13) 27 & 28 Vict c. 20 Promissory Notes and Bills of Exchange (Ireland) | The whole Act | — |
| (14) 28 & 29 Vict c. 46 Militia Ballots Suspension | The whole Act | — |
| (15) 28 & 29 Vict c. 83 Locomotives on Roads | The whole Act so far as it is not repealed | 41 & 42 Vict c. 53 41 & 42 Vict c. 77 (Part II.) |
| (16) 29 & 30 Vict c. 52 Prosecution Expenses | The whole Act | — |
| (17) 31 & 32 Vict c. 125 Parliamentary Elections | So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883 | 42 & 43 Vict c. 75 46 & 47 Vict c. 51 |
| (18) 32 & 33 Vict c. 21 Election Commissioners Expenses | The whole Act | 34 & 35 Vict c. 61 |
| (19) 32 & 33 Vict c. 56 Endowed Schools (Schemes) | As to the powers of making schemes, and as to the payment of the salaries of additional Charity Commissioners and additional secretary | 36 & 37 Vict c. 87 37 & 38 Vict c. 87 |
| (20) 34 & 35 Vict c. 87 Sunday Observance Prosecutions | The whole Act | — |
| (21) 35 & 36 Vict c. 33 Parliamentary and Municipal Elections (Ballot) | The whole Act so far as it is not repealed | 45 & 46 Vict c. 50 (Municipal Elections) |
| (22) 36 & 37 Vict c. 48 Regulation of Railways | The whole Act | 37 & 38 Vict c. 40 (Part II.) |
| (23) 38 & 39 Vict c. 48 Police Expenses | The whole Act | — |
| (24) 38 & 39 Vict c. 84 Returning Officers Expenses | The whole Act | 46 & 47 Vict c. 51, s. 32 48 & 49 Vict c. 62 49 & 50 Vict c. 57 |
| (25) 39 & 40 Vict c. 21 Juries (Ireland) | The whole Act | — |
| (26) 41 & 42 Vict c. 41 Returning Officers Expenses (Scotland) | The whole Act | 48 & 49 Vict c. 62 49 & 50 Vict c. 58 |
| (27) 41 & 42 Vict c. 72 Sale of Liquors on Sunday (Ireland) | The whole Act | — |
| (28) 43 Vict c. 18 Parliamentary Elections | The whole Act so far as it is not repealed | — |
| (29) 46 & 47 Vict c. 35 Diseases Prevention, Metropolis | The whole Act | 47 & 48 Vict c. 60 |
| (30) 46 & 47 Vict c. 51 Corrupt and Illegal Practices Prevention. | The whole Act | — |
| (31) 47 & 48 Vict c. 70 Municipal Elections (Corrupt and Illegal Practices) | The whole Act | — |

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to

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